



City of Jonesboro Metropolitan Area Planning Commission
Staff Report – RZ07-31: Gary Ezell -3306 S.W. Drive
Huntington Building - 900 W. Monroe
For Consideration by the MAPC on Tuesday June 12, 2007

REQUEST: To consider rezoning a parcel of property containing approximately 3.87 +/- acres more or less.

PURPOSE: A request to recommend approval to the Metropolitan Area Planning Commission for rezoning of R-1 Residential to C-3 Commercial

APPLICANT: Gary Ezell, Arkansas Equipment and Rentals, 4905 Southwest Dr.

OWNER: Gary Ezell, Arkansas Equipment and Rentals, 4905 Southwest Dr.

LOCATION: 3306 Southwest Drive/Highway 49; Southeast side of Highway 49, between Wood St. and Horne Dr.

SITE DESCRIPTION:

Tract Size:	Approx. 3.87 acres, 168,447 s.f.
Frontage:	Approx. 505.58' along Southwest Drive
Topography:	Flat
Existing Dvlpmnt:	6 Existing commercial buildings

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
North:	R-1	Undeveloped
South:	C-3 LUO	Commercial
East:	C-3 LUO, R-1	Commercial, Residential
West:	C-3	Commercial

HISTORY: Vacant expired Non-Conforming Use

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 Village Residential/Community Commercial Node. This designation includes new and existing major thoroughfare strips of neighborhood or community type and scale. This area is pending a restudy on the land use map by the Land Use Advisory Committee. Most of this area once was contingent upon Southern Hills mall being developed which did not occur.

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.

Findings:

The applicant proposes to rezone this acreage with existing commercial structures on the property. This is a heavily traveled highway which will most likely develop as commercial. The current requests will cause a non-conforming use to be brought into Zoning compliance in terms of property zoning classification. The future proposed uses for the property shall remain retail in nature and will not permit any future industrial uses. Staff cautions the Commission that by rezoning this parcel, the owner will be allowed all available C-3 Commercial uses under the allowable use table, including outdoor off premise billboards. C-3 Limited Use Overlay should be entertained as a possible compromise for the subject property, which will make the property consistent with the surrounding C-3 L.U.O area encompassing 139.96 acres +/-.

Conclusion:

The Planning Department staff finds that the requested Zone Change submitted by Gary Ezell should be reviewed based on the observations above. In the Case of RZ07-30 a request to rezone property should be recommended to the Jonesboro City Council for approval as C-3 L.U.O. excluding off-premise billboards.

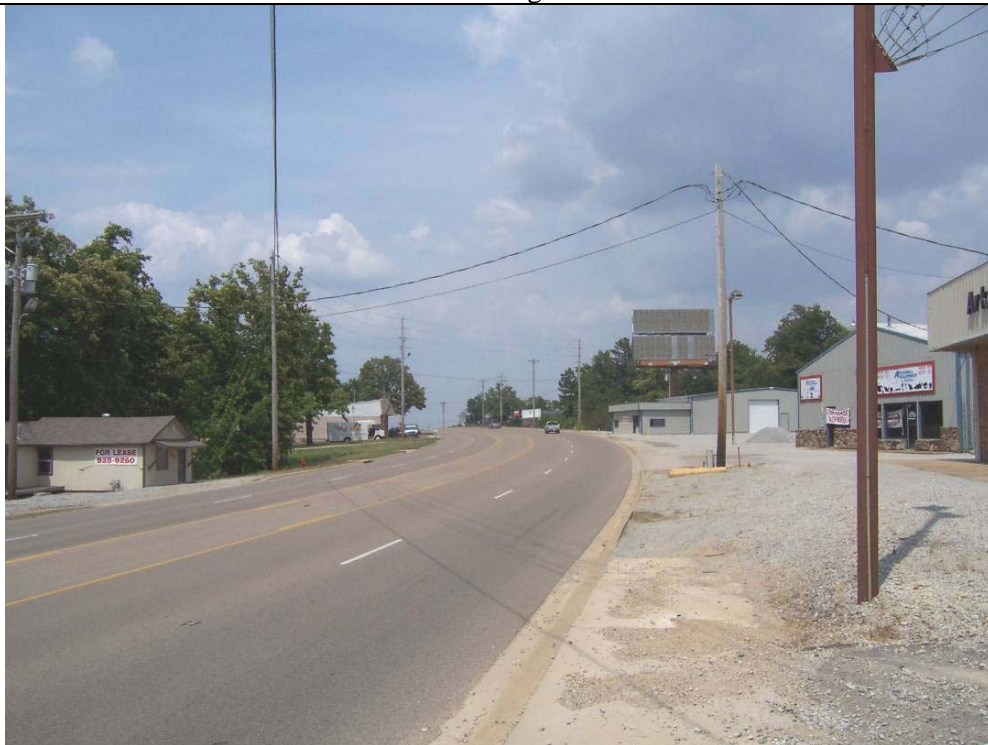
Respectfully Submitted for Commission Consideration,

Otis T. Spriggs, AICP
Planning & Zoning Director

SITE PHOTOGRAPHS



View looking South



View looking North



View looking west



View of the rear property site looking to the southeast