

City of Jonesboro Planning Commission
Staff Report – CU 14-06– 385 E. Johnson- Mobile Vending
Municipal Center- Council Chambers – 300 S. Church St.
For Consideration by the Planning Commission on May 13, 2014

REQUEST: Applicant proposes to install a Mobile Food Vending Unit within an I-1 Industrial District under the Conditional Use process.

APPLICANT: Carlos Turner, Sr. 385 E. Johnson Ave., Jonesboro, AR
OWNER: Harold Watson Jr., 3895 E. Johnson Ave., Jonesboro, AR

LOCATION: 385 E. Johnson Ave., Jonesboro, AR

SITE DESCRIPTION: Tract Size: 1.62 acres
 Frontage: 326' along Johnson Ave.; 303' along Labaume St.
 Topography: Flat
 Existing Developmt.: Church Use/Warehousing

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
North:	I-1	Commercial/Retail
South:	I-1	Commercial/ Industrial
East:	I-1	Commercial/Vacant
West:	I-1	Commercial/Retail

HISTORY: None

Zoning Code Analysis:

In carrying out the purpose of this section of Chapter 117 of the Jonesboro Code of Ordinances, the following development standards and design specifics shall be subject to review and approval. The appropriateness of these standards shall be determined for each specific conditional use location:

- (1) The proposed use is within the provision of conditional uses as set out in this chapter.
 - (2) The proposed use conforms to all applicable provisions herein set out for the district in which it is to be located.
 - (3) The proposed use is so designated, located and proposed to be operated that the public health, safety and welfare will be protected.
 - (4) The proposed land use is compatible with and will not adversely affect other property in the area where it is proposed to be located.
 - (5) The size and shape of the site, including the size, shape and arrangement of proposed structures, as well as signage related thereto, is in keeping with the intent of this chapter.
 - (6) The proposed ingress and egress, internal circulation system, location and amount of off-street parking, loading and pedestrian-ways are sufficiently adequate, and not inconsistent with requirements of this chapter.
 - (7) The proposed landscaping and screening of the proposed use are in accordance with provisions of this chapter.
 - (8) Safeguards proposed to limit noxious or offensive emissions, including lighting, noise, glare, dust and odor are addressed.
- (Zoning Ord., § 14.24.02)



Zoning/Vicinity Map

Findings:

The applicant proposes to gain MAPC approval to allow the placement of mobile vending food unit at the existing church location. The rules for compliance are as follows:

Sec. 117-258. Mobile Vending Trailers:

- (a) *Purpose.* The purpose of this section is to establish standards to regulate the use and location of commercial trailers in the city. These standards are necessary to promote public safety and preserve property values.
- (b) *Applicability.* This section shall apply to any commercial trailer or vending stand that is transported to property within the city. A commercial trailer or vending stand is defined as a transportable structure not permanently attached to the ground which is used on a shortterm basis to conduct a commercial activity such as, but not limited to, the sale of merchandise or food. Vending carts and tables shall be included in this definition.
- (c) *General provisions.* The following provisions shall apply to commercial trailers.
 - (1) Commercial trailers and vending stands shall be permitted only in zoning districts which permit the specific use for which the trailer is intended as permanent sited location, unless otherwise allowed by this section.
 - (2) Prior to locating a commercial trailer or vending stand on any parcel, a building permit must be obtained. The trailer or stand must be permanently attached to a foundation with an approved permit issued. Only one commercial trailer is permitted on each parcel, unless provided for otherwise within this section.

- (3) At the time a building permit is requested, a site plan shall be provided of the parcel on which the trailer is to be located. The site plan shall show the boundaries of the parcel, all existing buildings and their dimensions, parking areas and the number of spaces, and the proposed location of the trailer.
- (4) When applicable, a state health district approval letter shall accompany the permit application for products under the jurisdiction of the state health district. Use of the commercial trailer or vending unit shall not commence until a final occupancy certificate is issued by the building department.
- (5) A minimum of three parking spaces shall be provided for the use of employees and customers. This requirement is in addition to the number of parking spaces required for the existing buildings on the parcel. The trailer or stand may not be placed on the parcel if its placement would cause the parcel to no longer meet this zoning chapter requirements for minimum number of parking spaces.
- (6) The trailer must meet the minimum setback requirements for the zoning district in which it is located. In no instance may a commercial trailer or vending stand be located within a public right-of-way, unless otherwise permitted by this section.
- (7) The trailer unit must be inspected by the city electrical inspector to ensure the safety of the outside electrical connections.
- (8) The trailer must not be placed in a location which may be unsafe for its occupants, customers and the vehicles which must pass by.

Conclusion:

Staff finds no issue with this request. This case is presented to the MAPC, because of the retail requirement for a Conditional Use within a I-1 Industrial District. MAPC should consider the following conditions if the request is granted in full on the basis of the Conditional Use:

1. That upon issuance of the Conditional Use Approval, all installation and permitting of the structure shall be subject to Planning/Inspection Dept. approvals in the future.
2. That prior to any issuance of Certificate of Occupancy, all required State and Local permits shall be acquired.
3. Final Occupancy shall be achieved within a one year time limit.

Sample Motion:

I move to approve Conditional Use Case CU 14:06 as presented for a mobile vending unit to be located on the subject property; and we, the MAPC find that the use falls within the provisions for conditional use, will comply with the mobile vending policy and appropriate health department design standards will be applied. This approval is contingent upon the satisfaction of the conditions as recommended by the Planning Staff.

Respectfully Submitted for Commission Consideration,



Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



View looking south toward the subject property.



View looking southwest toward the property



View looking southwest toward the property