



City of Jonesboro City Council
Staff Report – RZ08-11: Paula Lamb, Greensboro RD.
Huntington Building - 900 W. Monroe
For Consideration by the Council on Tuesday, June 17, 2008

REQUEST: To consider rezoning a parcel of property containing approximately 0.92 acres more or less.

PURPOSE: A request for rezoning from R-1 Residential to C-3 General Commercial District.

AGENT/ OWNER: Charles M. Mooney, Sr., Attorney, Jonesboro, AR
 Paula Lamb, 313 Savannah Dr., Jonesboro AR.

LOCATION: 1616 Old Greensboro Rd. between Rios Lane and Johnson Avenue

SITE DESCRIPTION: Tract Size: Approx. 0.92 acres
 Frontage: Approx. 116.3 feet on Old Greensboro Rd.
 Topography: Flat
 Existing Dvlpmt: Residential structures

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

HISTORY: None.

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

COMPREHENSIVE PLAN/ FUTURE LANDUSE MAP

The 1996 Comprehensive Plan Future Land Use Map (page 24) shows the area recommended as Commercial Node and Village Residential. This area is pending a restudy on the land use map by the Land Use Advisory Committee and will most-likely maintain a commercial node status.

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 is hoping to use the proposed site for commercial use. The zoning plat shows a number of structures currently on the property. The main structure encroaches on the north boundary line and will propose an issue in the future if that building is used for commercial. Consideration of this issue should be taken by the Council, as well as other structures which current exist. All structures should be razed and the site redeveloped if used as commercial in the future complying with the most current codes and ordinances.

Rios Lane is a gravel road and should not be used in the future for commercial uses associated with this rezoning. Care should also be taken by the Council to protect any remaining residential properties abutting this site.

Staff recommends that a limited use be placed on this request to provide orderly pattern in the future development process. The plat shows three (3) lots, which staff suggested that MAPC stipulates that they be consolidated, because of access issues.

MAPC RECORD OF PROCEEDINGS:

The Metropolitan Area Planning Commission held a public hearing on June 10, 2008 and offers the following record:

Mr. Charles Mooney, Sr. appeared on behalf of Ms. Lamb. He stated that the property lies within a commercial node with commercial immediately adjacent as C-3. He referred to the property rezoned just across the street as a C-3 L.U.O. for a restaurant. This property has frontage of 116 ft. +/-, and is located north of a bank. The plat improperly shows structures that encroach property boundaries. The client plans to list the property and it has been vacant. The future user will most-likely tear down those structures. The plat shows three lots and they will have to be replated into one lot. Because staff has suggested that it be a C-3 L.U.O., my client has asked that it be recommended as so with the following uses: Automated Teller Machine, Bank or Financial Institution, Convenience store provided it blends in with the appearance of other buildings developed on the parcel, Government Service, Hotel or Motel, Library, Medical Service/ Office, Museum, General Office, Parks and Recreation, Post Office, Recreation/Entertainment, Indoor or Outdoor, Restaurant, Fast Food, Restaurant, General Retail/Service, Service Station provided it blends in with the appearance of other buildings within the proposed Development, Utility, Major or Minor; Vehicle Repair, limited and general but only as a part of or associated with another user within the development.

City Planner Otis Spriggs reiterated the issues within the staff report and the recommendation for the limited use, including the buffering condition, billboards, lot replating and use of the private drive for commercial uses.

A motion was made by Joe Tomlinson to recommended C-3 L.U.O. with the conditions that: the private drive commercial access be prohibited and that the plan shall require MAPC review and approval for future commercial development; and that all structures on the site shall be razed and site redeveloped for any commercial uses; abutting residential properties shall be protected by landscaping or a fence with the list of recommended limited uses; seconded by Margaret Norris, that this Rezoning be recommended to Council with the conditions set forth by the City Planner. The motion CARRIED by a (7 to 0) vote.

Conclusion:

The MAPC and the Planning Department Staff find that the requested Zone Change submitted by Paula Lamb should be reviewed based on the observations above. In the Case of RZ-08-11, a recommendation to rezone property from R-1 to C-3 Commercial Limited Use Overlay should considered by Jonesboro City Council; with a condition prohibiting billboard advertisement, prohibiting commercial access on an unimproved private drive, consolidation of all lots, and future MAPC review and approval.

Respectfully Submitted for Council Consideration,

Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



View looking North on Old Greensboro Rd.



View looking South on Old Greensboro Rd.



View looking East toward site



View looking West from site



View looking east towards site



View looking West from site towards Greensboro Rd. 351