

*City of Jonesboro City Council*  
**Staff Report – RZ 20-15 911 E. Parker**  
 Municipal Center - 300 S. Church St.  
*For Consideration by the Council on September 15th, 2020*

**REQUEST:** To consider a rezoning of one tract of land containing .282 acres more or less.

**PURPOSE:** A request to consider recommendation to Council for a rezoning from “CR-1” Commercial Residential Mixed Use District Limited Use Overlay to “C-3” General Commercial District.

**APPLICANTS** Ashley Tallant, 673 Cr 338, Jonesboro, AR 72401

**LOCATION:** 911 Parker, Jonesboro, AR 72404

**SITE DESCRIPTION:** **Tract Size:** Approx. .282 Acres  
**Street Frontage:** 86.33 ft. – Parker Rd, 92.04 ft. – Harrisburg Rd  
**Topography:** Predominately flat  
**Existing Development:** Commercial Building

**SURROUNDING CONDITIONS:**

ZONE	LAND USE
North	I-555 Freeway
South	R-1 Single Family Residential -- C-3 General Commercial District
East	R-1 Single Family Residential -- C-3 General Commercial District
West	C-3 General Commercial District

**HISTORY:** Commercial Building – use to be Meals for Moms.

**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 High Intensity Growth Sector and is in the Overlay District. A wider mix of land uses is appropriate in the **High Intensity Growth Sector**. From Multi-Family to fast food to Class A office space to outdoor display/highway oriented businesses like automotive dealerships, because they will be located in areas where sewer service is readily available and transportation facilities are equipped to handle the traffic. The proposed rezoning is consistent with the adopted Land Use Plan for the proposed zoning.

**HIGH INTENSITY GROWTH SECTORS - RECOMMENDED USE TYPES INCLUDE:**

- *Regional Shopping Centers*
- *Automotive Dealerships*
- *Outdoor Display Retail*
- *Fast Food Restaurants*
- *Multi-Family*
- *Service Stations*
- *Commercial and Office*
- *Call Centers*
- *Research and Development*
- *Medical*
- *Banks*
- *Big Box Commercial*
- *Hotel*

**DENSITY:** *Multi-Family 8 – 14 Dwelling Units Per Acre*

*Multi-Family should only be allowed on collector and above streets that have been improved or scheduled to be improved in the next construction cycle of city projects unless the developer is willing to build the roads to Master Street Plan standers that serve the development.*

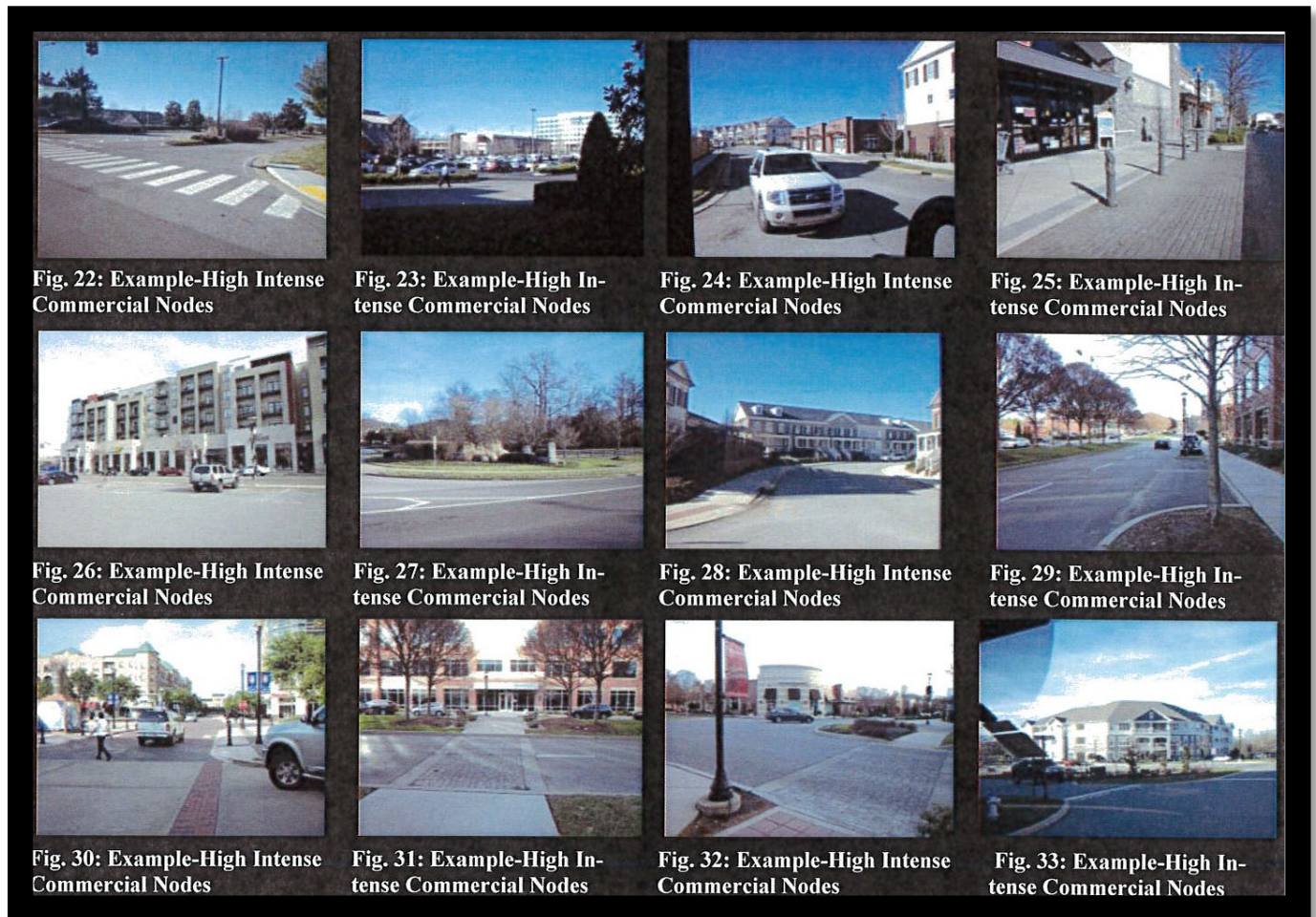
**HEIGHT:** *150 Feet*

**TRAFFIC:** *This will be located along arterial streets with high traffic volume.*

**EXAMPLES:**



The Sections Identified on the land use map as High Intensity consist primarily of areas where High Intensity Uses are already in place and strip development is common.



However, future strip development is discouraged, to be replaced by what the Urban Land Institute calls “pulsed nodes of development,” that are areas of mixed-use residential and commercial development interspersed with stretches of low-intensity land uses or open space as shown below.

High Intensity Commercial Nodes may contain most of the land uses listed under High Intensity, but they are to be clustered in 40-200 acre developments or combinations of developments situated within a 1/4-1/3 mile radius of the intersection of arterial roadways. Use of high quality materials, good design, on-street parking, landscaping, and open spaces will be key features of developments contained in these nodes. Good connectivity for bicycle and pedestrian transportation will be featured, as well as appropriately placed bus stops.



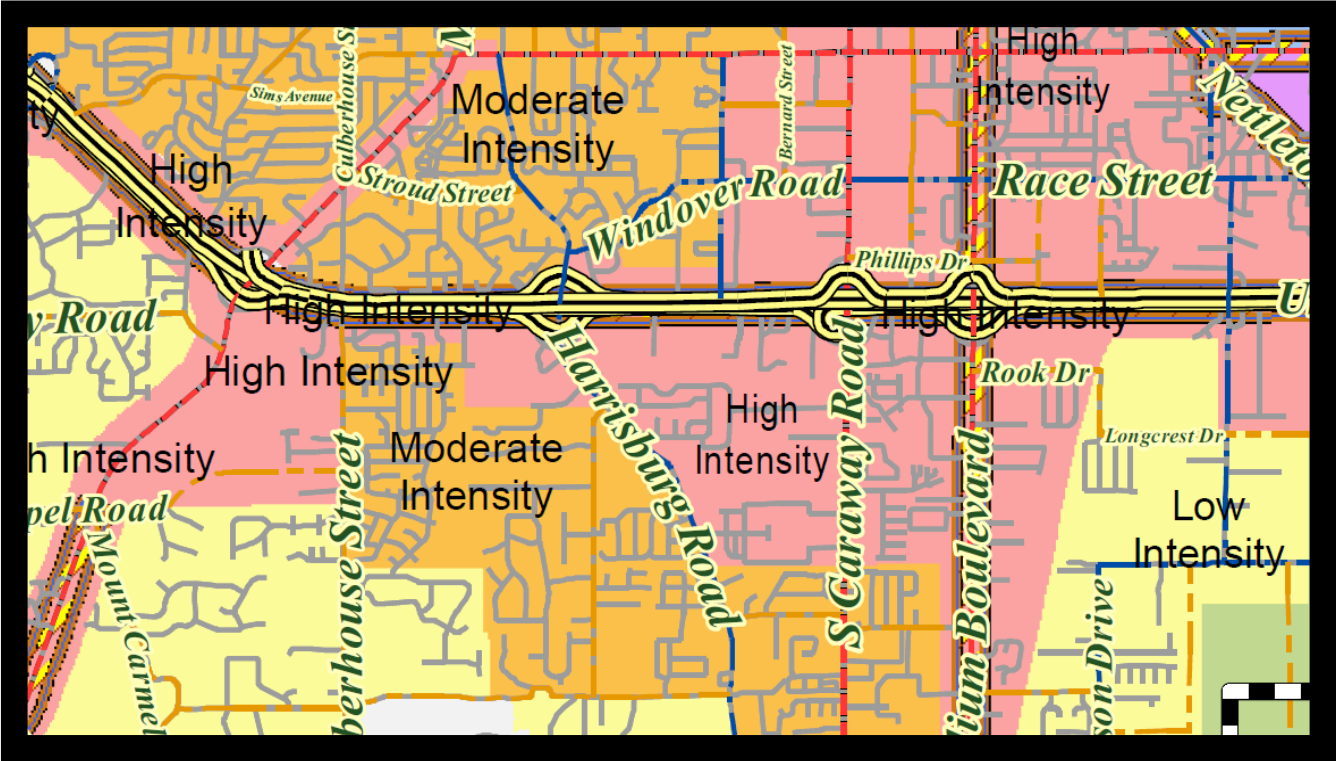
**Typical Land Uses:**

- *Multi-family*
- *Attached single family residential*
- *Retail*
- *Medical and Professional, Banks*
- *Commercial, Office, and Service*
- *Hotel*

**Density:** *6-14 units per acre for Multi-family*

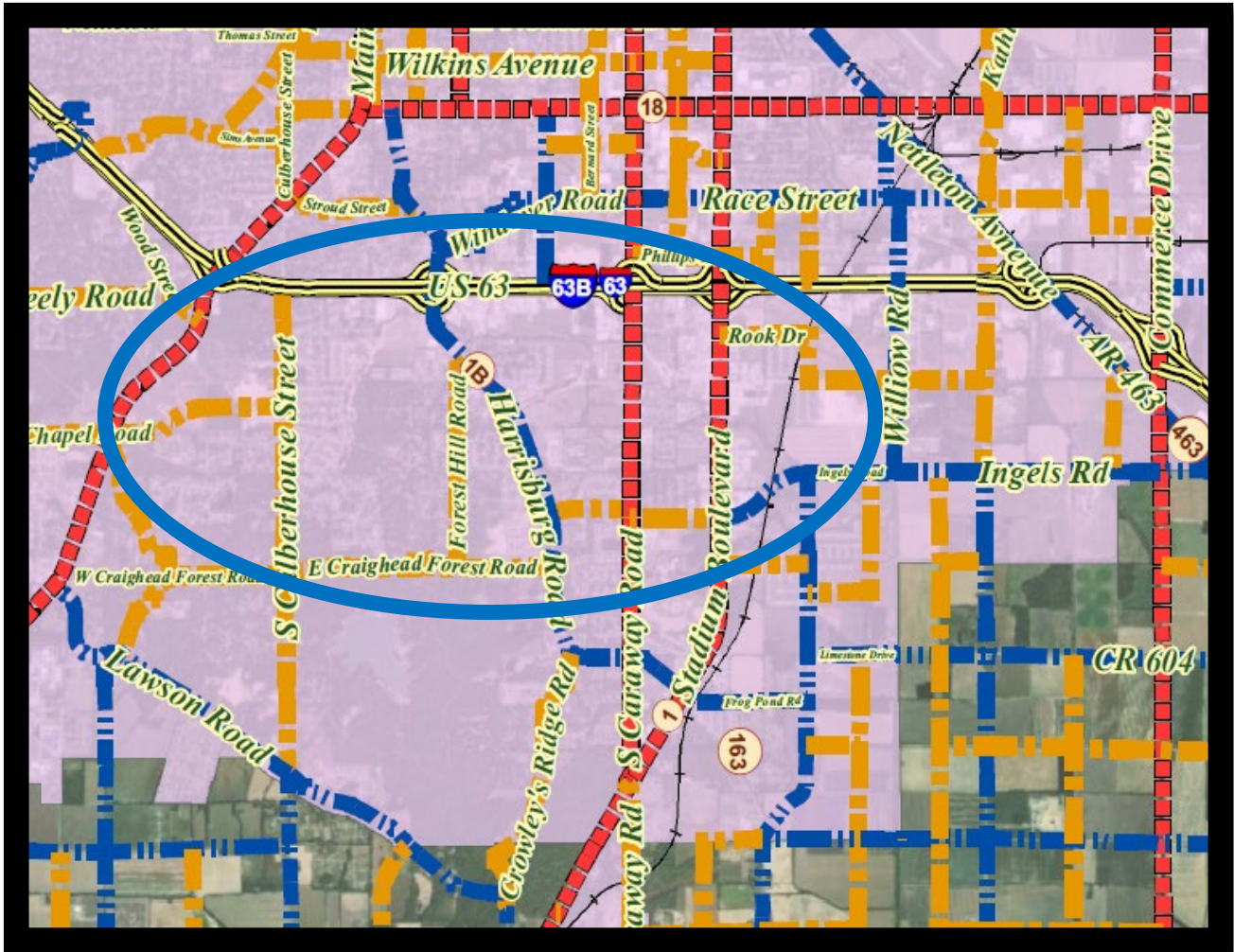
**Height:** *150 feet*

**Traffic:** *This will be located along arterial streets with a high traffic.*



**Land Use Plan**

## MASTER STREET PLAN/TRANSPORTATION



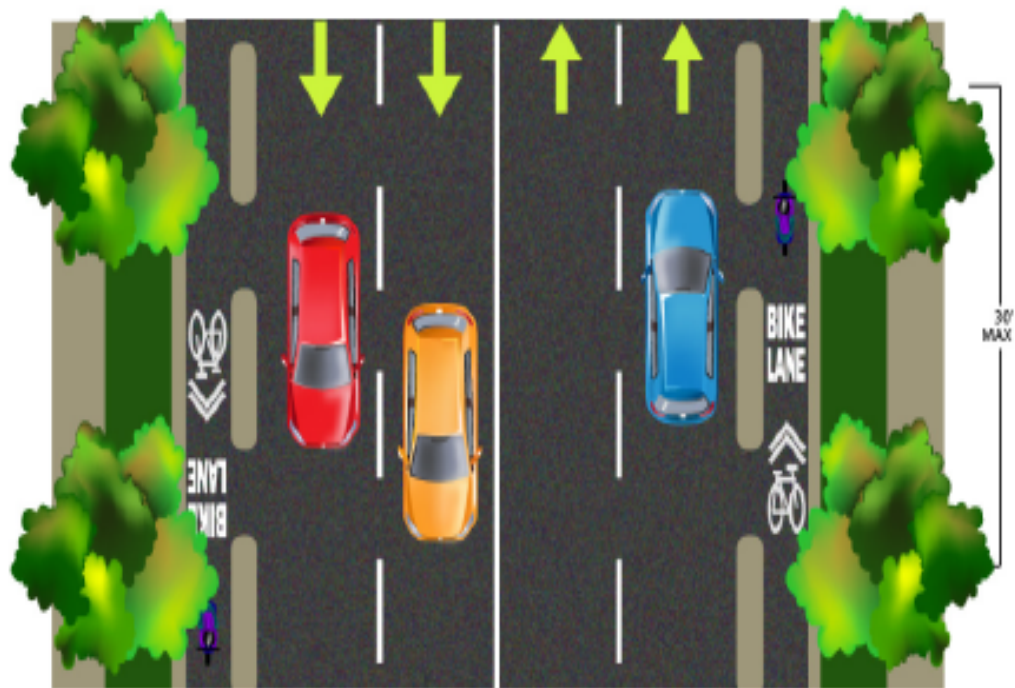
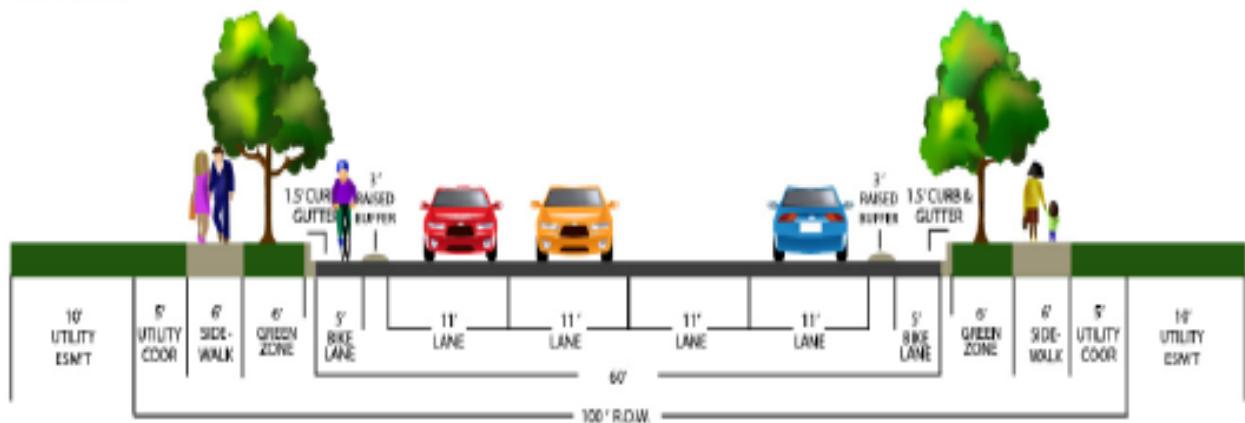
*Master Street Plan Map*

### Master Street Plan/Transportation

The subject property is served by Harrisburg Road and Parker Road. Harrisburg Road on the Master Street Plan is classified a Minor Arterial. Minor Arterials provide the connections to and through an urban area. Their primary function is to provide short distance travel within the urbanized area. Since a Minor Arterial is high volume road, a minimum of 4 travel lanes is required. At intersections with Collector Streets or other Arterials (principal or minor), additional right-of-way may be required. Parker Road is classified as a local Street. The Local Street function is to provide access to adjacent property. The movement of traffic is a secondary purpose. The use of a Local Street in a residential area by heavy trucks and buses should be minimized. The standard Local Street is to be used in all cases.

MINOR ARTERIAL STREET OPTION 1

VPD > 7,000

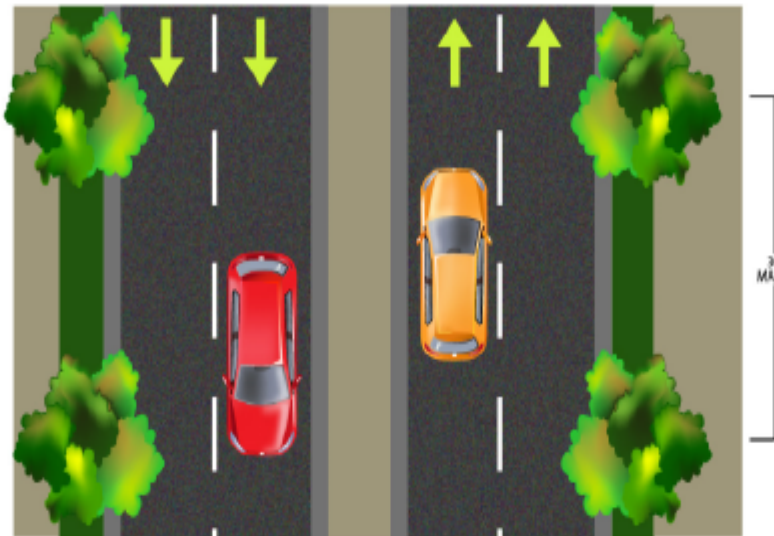
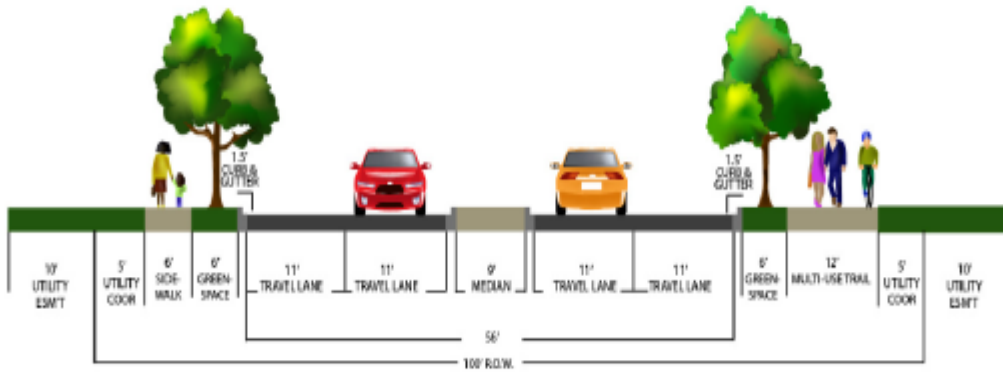


if the anticipated turning movements warrant extra lanes.

DESIGN: Cross-section selection shall be based on anticipated traffic volume and speed limit, or traffic impact analysis, if applicable. Design in accordance with AASHTO policy on Geometric design of highways and streets (current edition).

Note: Where VPD is > 7,000 and speed is <35 mph, three foot wide raised buffers should be used.

MINOR ARTERIAL STREET OPTION 2

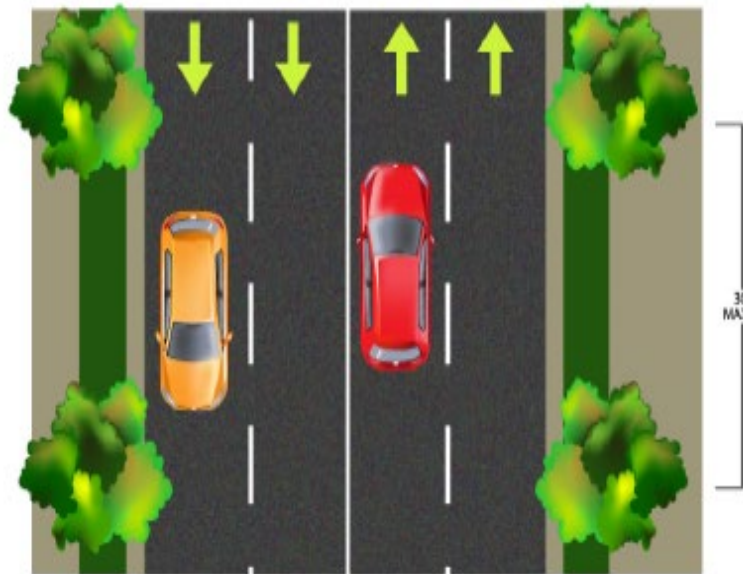
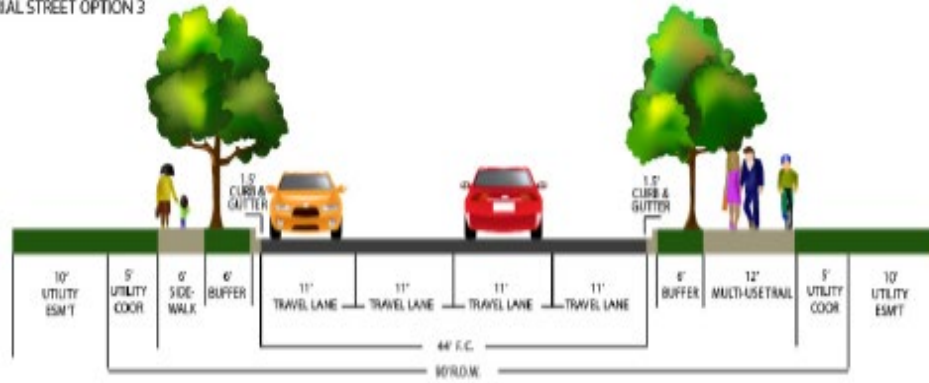


OTHER MINOR ARTERIAL DESIGN OPTIONS:

Note: Where VPD is > 7,000 and speed is  $\geq$  35 mph, separate bike lanes or a shared path should be utilized.



MINOR ARTERIAL STREET OPTION 3



Note: Where VPD is > 7,000 and speed is ≥ 35 mph, separate bike lanes or a shared path should be utilized.



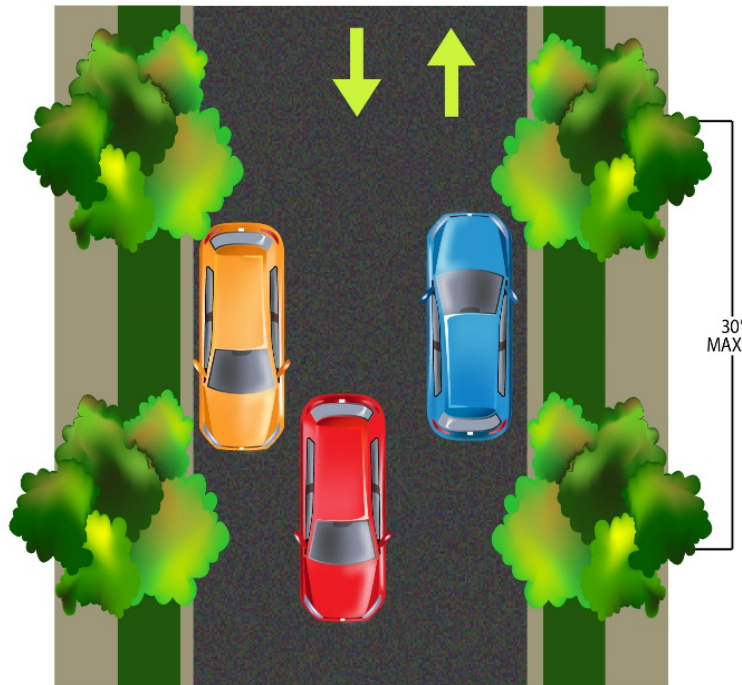
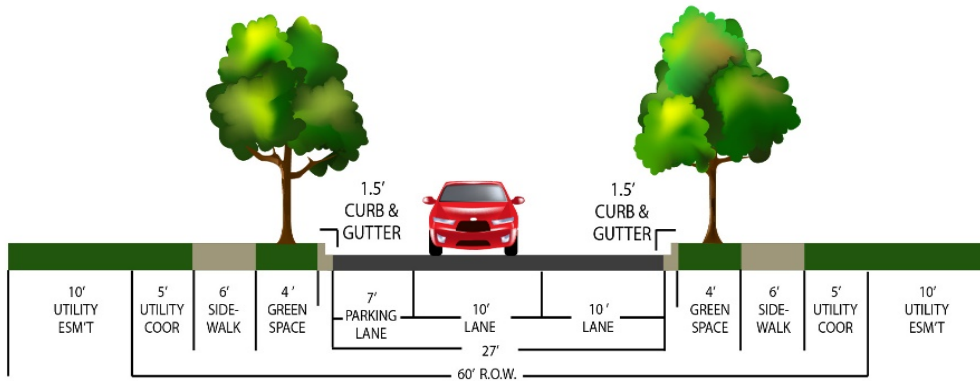
The Local Street function is to provide access to adjacent property. The movement of traffic is a secondary purpose. The use of a Local Street in a residential area by heavy trucks and buses should be minimized.

DESIGN: Local Street Option 1 is to be used when on-street parking is provided within the development. Option 2 is to be used when on-street parking is not provided within the development. Option 3 is to be used in commercial mixed-use areas.

Note: Where VPD is < 3,000 or speed is < 25 mph, bikes may share the travel lanes.

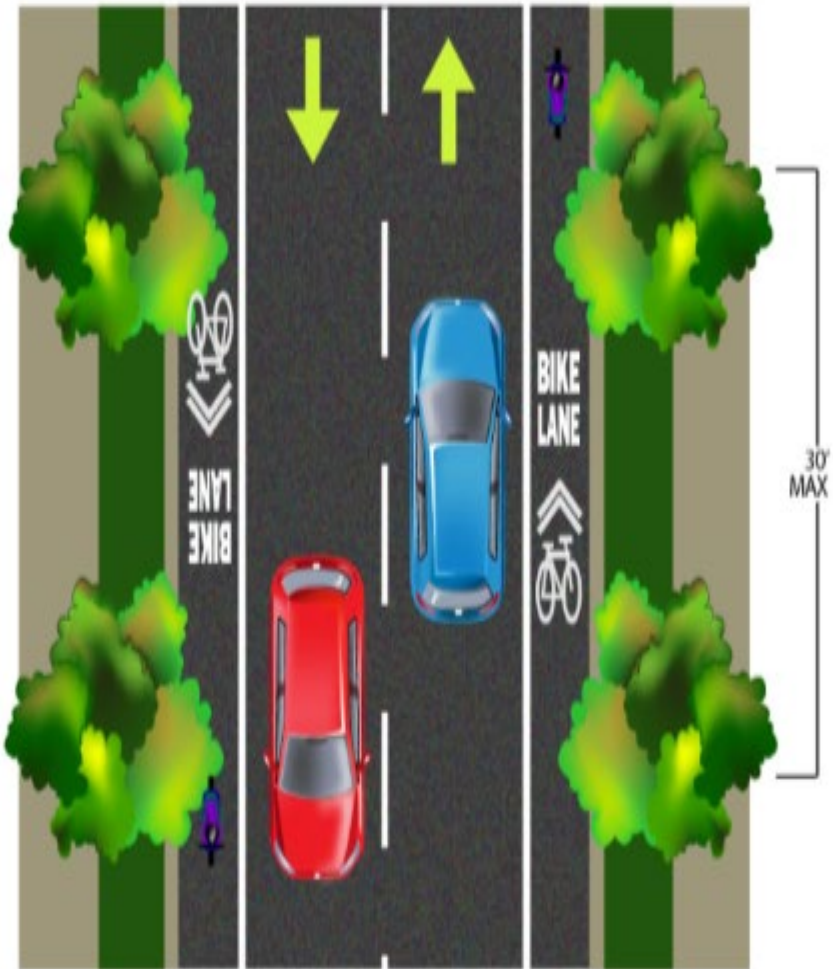
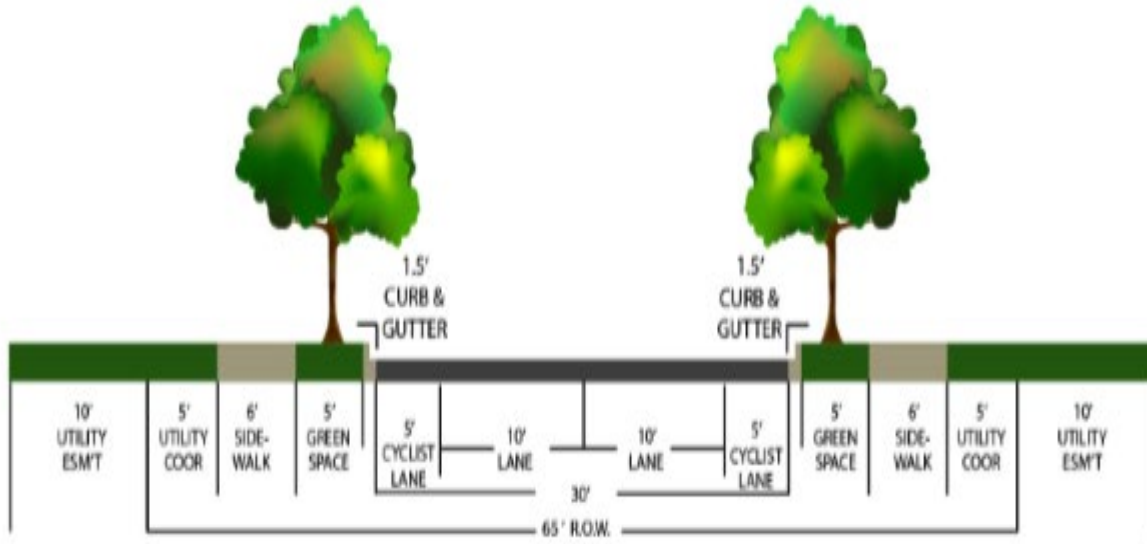
LOCAL STREETS OPTION 1

VPD < 3,000

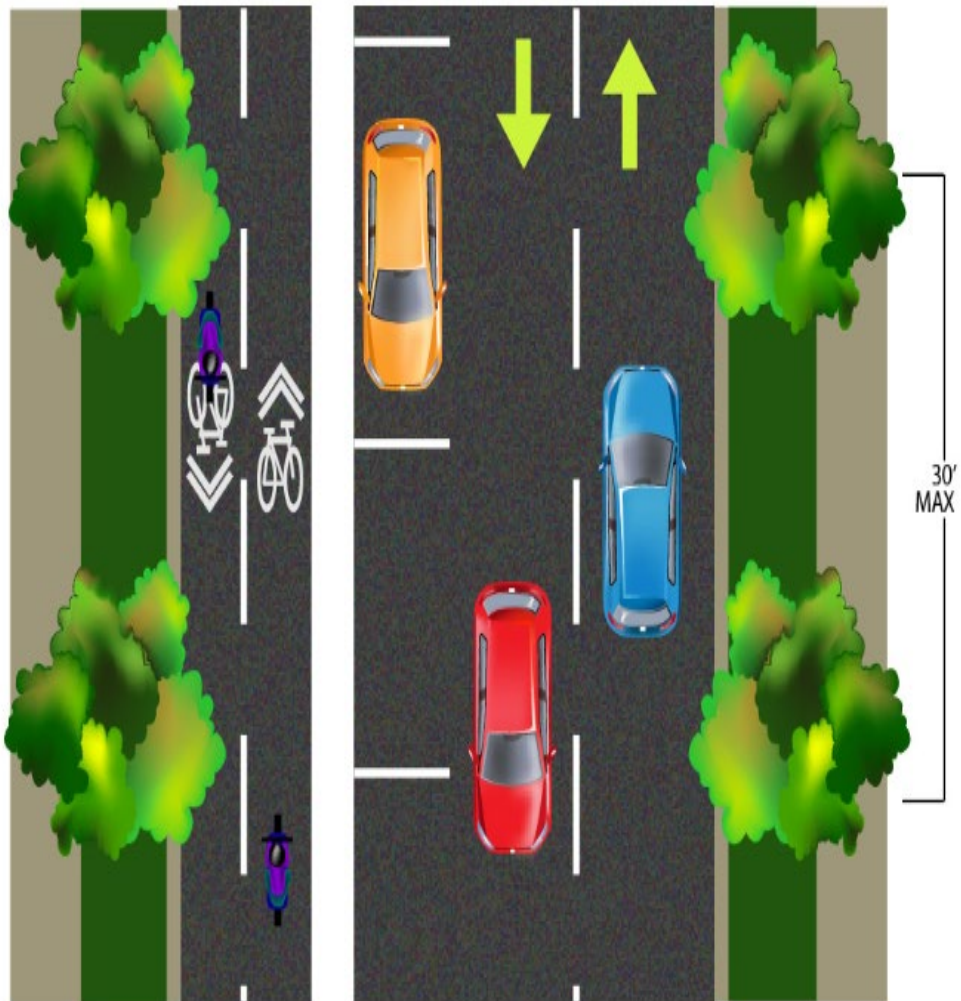
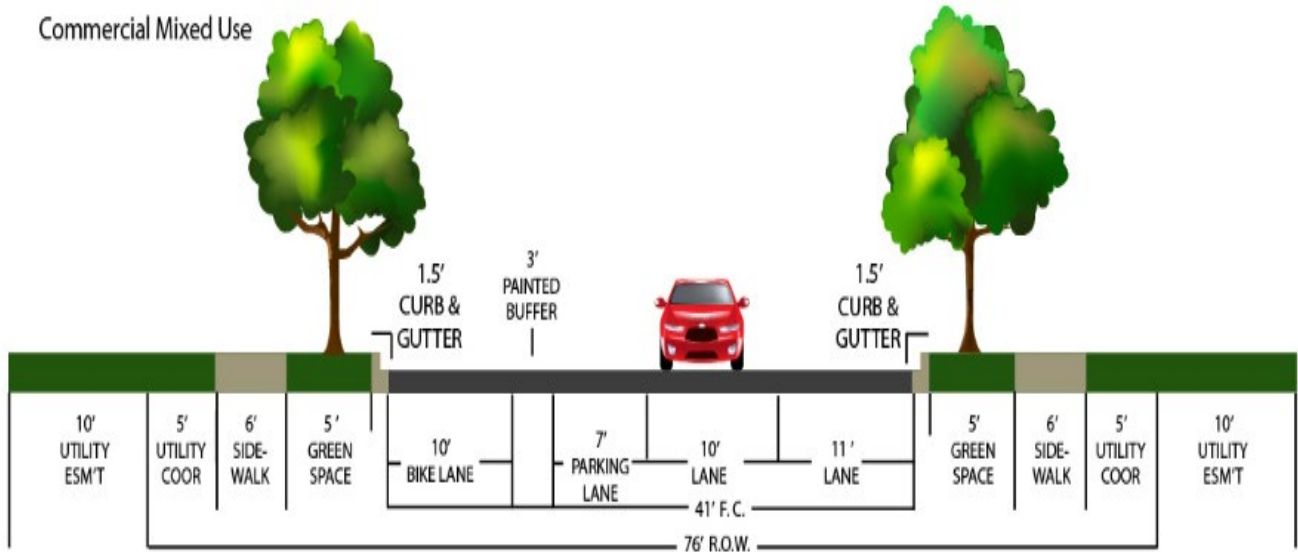


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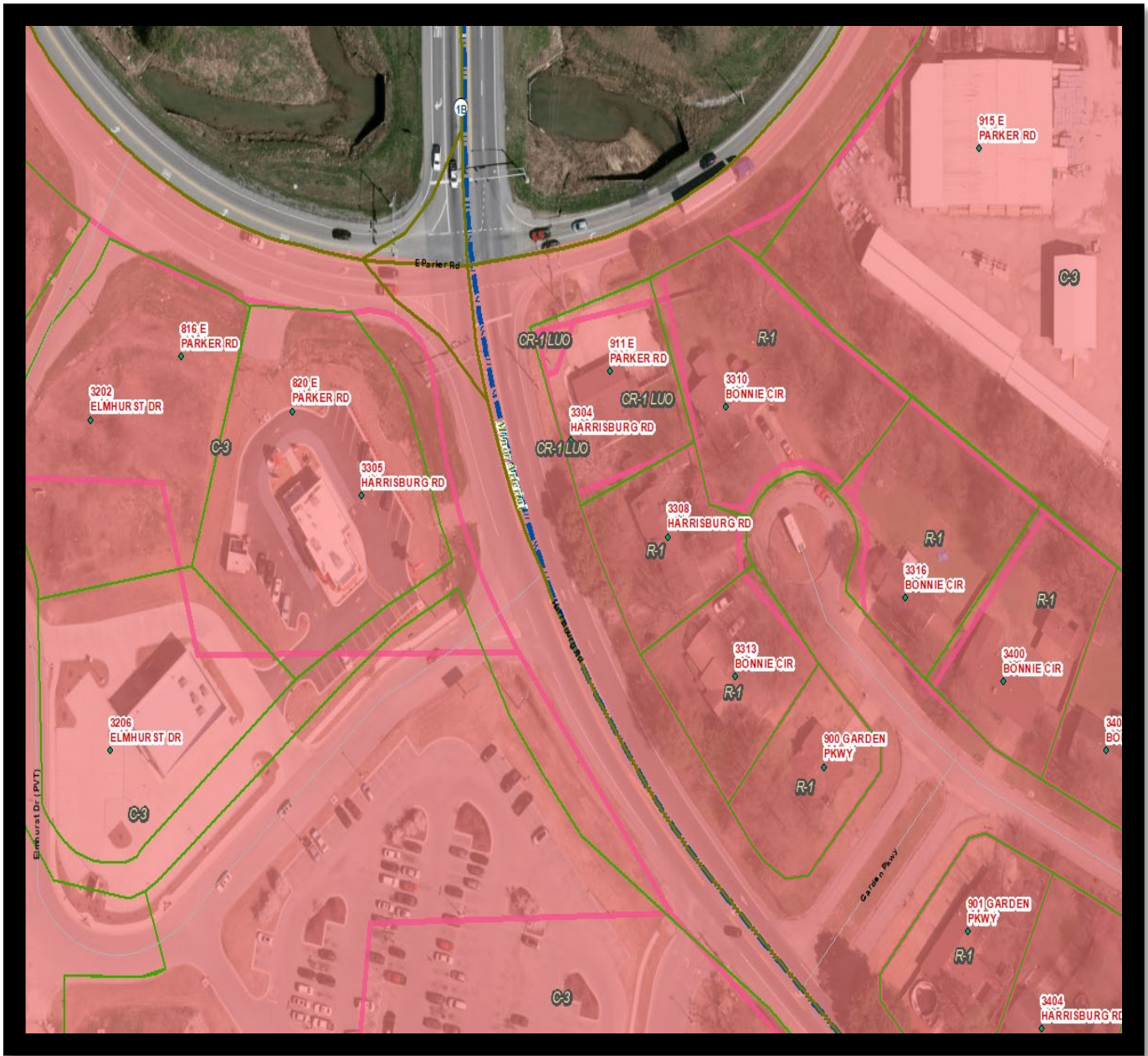
LOCAL STREETS OPTION 2



LOCAL STREETS OPTION 3  
Commercial Mixed Use













**Zoning Map**



**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 list on the next page.

Criteria	Explanations and Findings	Comply Y/N
(a) <b>Consistency of the proposal with the Comprehensive Plan/Land Use Map</b>	The proposed district rezoning is consistent with the Adopted Land Use Plan. The Applicant is putting in a Salon in this location.	
(b) <b>Consistency of the proposal with the purpose of Chapter 117-Zoning.</b>	The proposal will achieve consistency with the purpose of Chapter 117, with compliance of all District standards.	
(c) <b>Compatibility of the proposal with the zoning, uses and character of the surrounding area.</b>	Compatibility is achieved with this rezoning considering there are C-3 General Commercial Zoning in this area.	
(d) <b>Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;</b>	Without the proposed zoning map amendment, this property will not develop as anything other than Light Office due to the CR-1 LUO. The Rezoning passed in 05.01.2007 with the LUO limiting this location to Light Office only. The ORD-07:03 is below this chart.	
(e) <b>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;</b>	No detrimental or adverse impacts are predicted, if proper planning is implemented. Commercial is located in this area.	
(f) <b>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</b>	Minimal impact if rezoned due to the fact that businesses and residential currently exist in this area.	



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Legislation Details (With Text)

**File #:** ORD-07:03    **Version:** 1    **Name:** Rezoning by Dennis Burks  
**Type:** Ordinance    **Status:** Passed  
**File created:** 4/17/2007    **In control:** City Council  
**On agenda:**    **Final action:** 5/1/2007  
**Title:** AN ORDINANCE TO AMEND TITLE 14 OF THE JONESBORO MUNICIPAL CODE KNOWN AS THE ZONING ORDINANCE PROVIDING FOR A CHANGE IN ZONING DISTRICT BOUNDARIES FROM R-1, RESIDENTIAL, TO CR-1, COMMERCIAL RESIDENTIAL, LOCATED AT 3304 HARRISBURG ROAD AS REQUESTED BY DENNIS JOHN BURKS

**Sponsors:**

**Indexes:** Rezoning

**Code sections:**

**Attachments:** 1. Plat, 2. MAPCReport

Date	Ver.	Action By	Action	Result
5/1/2007	1	City Council	Passed	Pass
4/17/2007	1	City Council	Waived Second Reading	Pass

AN ORDINANCE TO AMEND TITLE 14 OF THE JONESBORO MUNICIPAL CODE KNOWN AS THE ZONING ORDINANCE PROVIDING FOR A CHANGE IN ZONING DISTRICT BOUNDARIES AS REQUESTED BY DENNIS JOHN BURKS

BE IT ORDAINED by the City Council of the City of Jonesboro, Arkansas:

SECTION 1: That Title 14 of the Jonesboro Municipal Code known as the Zoning Ordinance of the City of Jonesboro, Arkansas be amended as recommended by the Metropolitan Area Planning Commission by the change in zoning classification as follows:

From R-1 Residential to CR-1 L.U. Light Office

A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 4 NORTH, RANGE 4 EAST OF THE FIFTH PRINCIPLE MERIDIAN, CRAIGHEAD COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 2 OF THE REPLAT OF SIRIOS ADDITION TO THE CITY OF JONESBORO; SAID POINT OF BEGINNING; THENCE ALONG THE EASTERLY RIGHT OF WAY OF HIGHWAY 1-B (HARRISBURG ROAD) N15°49'07" W 87.85 FEET TO A POINT; THENCE CONTINUE ALONG SAID RIGHT OF WAY OF LINE N24°22'00" E39.10 FEET TO A POINT; THENCE N79°25'00" E88.11 FEET TO A POINT; THENCE S14°47'27" E 105.70 FEET TO A POINT; THENCE S72° 07'10" W 111.16 FEET TO THE POINT OF BEGINNING.

CONTAINING SOME (12,241 SQ. FT.) 0.28 ACRES, MORE OR LESS, BEING SUBJECT TO ANY EASEMENTS, RIGHT OF WAYS AND RESTRICTIONS OF RECORD.

SECTION 2: The requested rezoning classification as shown as CR-1 Limited Use (L.U.) for Light Office. The

L.U. is further restricted as follows:

1. That no new ingress/egress be permitted along Harrisburg Road frontage.
2. That prior to occupancy, the applicant applies for a zoning and building permit satisfying all code requirements of construction and landscaping.
3. That major modifications or additions to the existing building be subject to MAPC review and approval in the future.
4. That signage be limited to one ground monument sign limited to 15 ft. in height, located 10 ft. min. from the right of way. One wall sign may be permitted per building frontage. And billboard signage shall be prohibited at this location.

SECTION 3: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

PASSED AND ADOPTED this 1<sup>st</sup> day of May, 2007.

## Staff Findings:

### Applicant's Purpose

The proposed area is currently classified as "CR-1" Commercial Residential Mixed Use District Limited Use Overlay, which limits this location to light office only. The applicant wants to rezone the property to "C-3" General Commercial District to put a Salon in this building.

Rezoning this property is consistent with the *Jonesboro Comprehensive Plan* and the *Future Land Use Plan*. Rezoning makes sense considering there are already Commercial Businesses located in the area.

### Chapter 117 of the City Code of Ordinances/Zoning defines C-3 General Commercial District as follows:

Definition of 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 Street. Development of groupings 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 issues were reported	
Streets/Sanitation	No issues were reported	
Police	No issues were reported	
Fire Department	No issues were reported	
MPO	No issues were reported	
Jets	No issues were reported	
Utility Companies	No issues were reported	CWL
Code Enforcement	No issues were reported	

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**MAPC RECORD OF PROCEEDINGS: PUBLIC HEARING HELD ON SEPTEMBER 8, 2020**

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**Ashley Tallant is requesting MAPC Approval for a Rezoning from “CR-1” Commercial Residence Mixed Use District Limited Use Overlay to “C-3” General Commercial District for .282 +/- acres of land located at 911 Parker Road.**

**APPLICANT: Tommy Hendrix Brown stated he is a relator who represents Ms. Tallant. This property was purchased with the intent for her to operate a small hair salon. After investigation it was zoned strictly for small business, small office space. He stated they are seeking C-3 approval so she can operate a salon.**

**COMMISSION: Jerry Reece asked for staff comment.**

**STAFF: Ryan Robeson stated they propose they apply a Limited Use Overlay to this rezoning allowing only for retail salon and light office for this property.**

**COMMISSION: Jerry Reece asked for public comment.**

**STAFF: Ryan Robeson stated if they are willing to go with the Limited Use Overlay that limits them to retail salon and light office, there are additional conditions to be noted.**

**COMMISSION: Jerry Reece asked for commissioner comment.**

**COMMISSION: Kevin Bailey asked if they need to table this and let them come back for an L.U.O.**

**STAFF: Ryan Robeson stated he believes they can amend it.**



**COMMISSION:** Paul Ford asked if staff needs to list their additional conditions.

**STAFF:** Ryan Robeson stated they have reviewed this and would recommend 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, Flood Plain Regulations, and Traffic Access Management Policy regarding any new development.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the Planning Department, prior to any redevelopment of the property.
3. Any change of use shall be subject to Planning Department approval in the future.
4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, outdoor storage, dumpster enclosure, sidewalks etc. shall be submitted to the Planning Department prior to any redevelopment of this property.
5. The Limited Use Overlay allows:
  - a. Retail / Salon
  - b. Light Office

**COMMISSION:** Jim Little asked what are the limited uses that would be allowed other than typical C-3 uses.

**STAFF:** Ryan Robeson stated the two limited uses they would allow are retail salon and light office.

**COMMISSION:** Jim Little asked why they do not want general C-3 zoning.

**STAFF:** Ryan Robeson stated in the future if the property sells, people could buy property around it. You could end up with a gas station, convenience store, or anything there. It is a very busy intersection as it is.

**COMMISSION:** Jim Little stated it is too close to the intersection so Planning would not want that there.

**STAFF:** Ryan Robeson stated that is correct.

**STAFF:** Michael Morris stated Engineering agrees.

**COMMISSION:** Jim Little asked what the owners think.

**APPLICANT:** Tommy Hendrix Brown stated Ashley and he are in agreement that the light office space and retail salon use would be fine. That is all they are looking for.

**STAFF:** Carol Duncan stated they need a motion to amend if that is the desire of the committee.

**A motion was made by Dennis Zolper to amend the request for rezoning to C-3 with a Limited Use Overlay of a hair salon or light office use, seconded by Jimmy Cooper, that this matter be Approved. The motion PASSED with the following vote:**

**Aye: 7 – Paul Ford; Mary Margaret Jackson; David Handwork; Kevin Bailey; Jimmy Cooper; Jim Little and Dennis Zolper**

**Nay: 0**

**Absent: Lonnie Roberts**

**PUBLIC: No Comment.**

**STAFF: Carol Duncan requested Ryan Robeson reread the requirements that are specific to the Limited Use Overlay so there is no confusion to the final vote.**

**STAFF: Ryan Robeson stated we propose they apply a Limited Use Overlay to this rezoning allowing for only retail salon and light office for this property.**

**COMMISSION ACTION:**

**Mr. Dennis Zolper made a motion to approve Case: RZ: 20-15, as submitted, to the City Council with the stipulations that were read by the Planning Department:**

- 1. That the proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual, Flood Plain Regulations, and Traffic Access Management Policy regarding any new development.**
- 2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the Planning Department, prior to any redevelopment of the property.**
- 3. Any change of use shall be subject to Planning Department approval in the future.**
- 4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, outdoor storage, dumpster enclosure, sidewalks etc. shall be submitted to the Planning Department prior to any redevelopment of this property.**
- 5. The Limited Use Overlay allows:**
  - a. Retail / Salon**
  - b. Light Office**

**The MAPC find to rezone property from "CR-1" Commercial Residence Mixed Use District Limited Use Overlay District to "C-3" General Commercial District Limited Use Overlay for .282 +/- acres of land located at 911 E Parker Road. Motion was seconded by Mr. Jimmy Cooper.**

**Roll Call Vote: 7-0, Aye's: Paul Ford; Mary Margaret Jackson; David Handwork; Kevin Bailey; Jimmy Cooper; Jim Little; and Dennis Zolper**

**Absent: Lonnie Roberts**

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**Conclusion:**

The Planning Department Staff finds that the requested Zone Change submitted for subject parcel, should be evaluated based on the above observations and criteria of Case RZ 20-15 a request to rezone property from "CR-1" Commercial Residential Mixed Use District Limited Use Overlay to "C-3" General Commercial District Limited Use Overlay; the following conditions are recommended:

1. That the proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual, Flood Plain Regulations, and Traffic Access Management Policy regarding any new development.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the Planning Department, prior to any redevelopment of the property.
3. Any change of use shall be subject to Planning Department approval in the future.
4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, outdoor storage, dumpster enclosure, sidewalks etc. shall be submitted to the Planning Department prior to any redevelopment of this property.
5. The Limited Use Overlay is:
  - a. Retail / Salon
  - b. Light Office

Respectfully Submitted for City Council Consideration,  
The Planning and Zoning Department

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**Sample Motion:**

I move that we place Case: RZ 20-15 on the floor for consideration of recommendation by MAPC to the City Council with the noted conditions, and we, the MAPC find that to rezone property from "CR-1" Commercial Residential Mixed Use District Limited Use Overlay District to "C-3" General Commercial District will be compatible and suitable with the zoning, uses, and character of the surrounding area.

