

City of Jonesboro City Council
Staff Report – RZ10-19: David Bogan-Johnson Ave.
Huntington Building - 900 W. Monroe
For Consideration by Council on December 21, 2010

REQUEST: To consider a rezoning a parcel of land containing 0.87 acres more or less (38,037 sq.ft.).

PURPOSE: A request to consider recommendation to rezoning from R-1 Single Family & to C-3 General Commercial.

APPLICANT OWNER: David Bogan 3609 Hudson Dr. Jonesboro, AR 72401
David Bogan 3609 Hudson Dr. Jonesboro, AR 72401

LOCATION: 3609 Johnson Ave. (South of Hudson Dr., North of Johnson Ave.) Jonesboro, AR

SITE DESCRIPTION: Tract Size: 38,037 sq.ft. Approx. 0.87 Acres
Frontage: Approx. +/-209.27' (along Hudson Dr.) +/- 209.27 (along Johnson Ave.)
Topography: Gently Sloping
Existing Developmt: Residence

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
North:	C-3 L.U.O	Commercial
South:	C-3	Commercial
East:	C-3	Commercial
West:	C-3 L.U.O	Commercial

HISTORY: None.

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

COMPREHENSIVE PLAN FUTURE LAND USE MAP

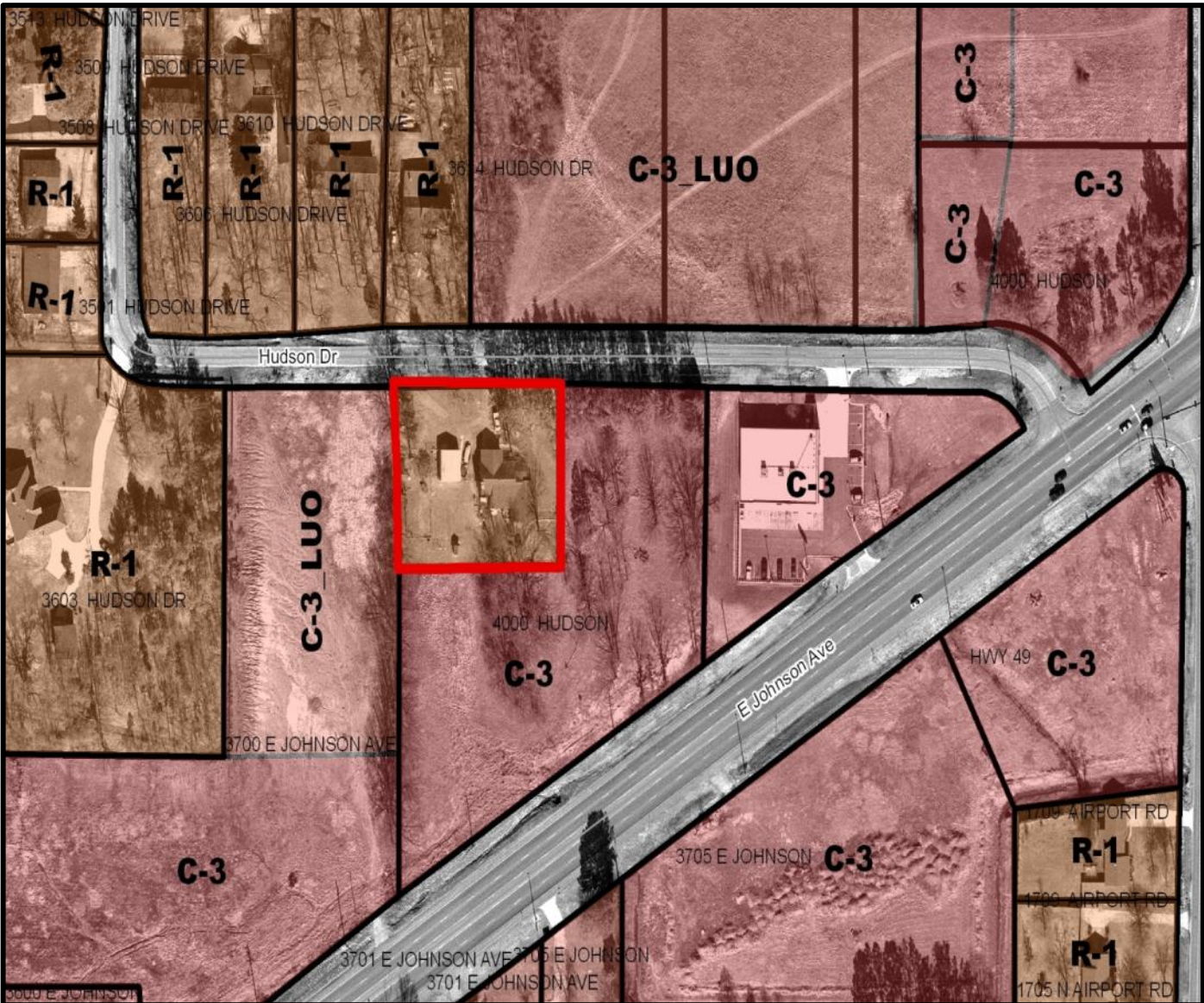
The Jonesboro Comprehensive Plan Future Land Use Map which is outdated shows the area recommended as Retail General Commercial. This designation typically includes general commercial business uses and consistency is achieved with the Land Use Plan.

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.



Vicinity/Zoning Map

Findings:

With all the new development, this area abuts a changing commercial corridor which includes other new retail development in the immediate area. With proper buffering a quality commercial development can be incorporated into this planning area. Care should be given to the single family homes north of this site.

The requested zoning is for a C-3 General Commercial district; any conditions or stipulations considered by MAPC will necessitate a Limited Use Overlay District. Maximum lot coverage shall be restricted to 60% coverage and all future building setbacks and site parameters shall following the requirements of the C-3 Zoning District.

MAPC Record of Proceedings: Public Hearing Held on December 14, 2010:

Mr. Charles "Skip" Mooney, Sr. presented the rezoning petition to the Commission. This property is connected to 2 other C-3 lots which form a piece of property 3 1/3 acres. Mr. David Bogan owns the subject R-1 lot which is in the perimeter of the C-3 Zoning. He previously rezoned the other properties and he is requesting his home location to be rezoned and all three have been set up with a contract for a sale to be consolidated into one lot being C-3. There is development planned for this.

Mr. Mooney added that Staff has made a recommendation for a L.U.O.(Limited Use Overlay) and that is not in our plans; the developer doesn't want two zonings on one plat. We ask that you recommend it C-3 to City Council. The area with the construction of the new hospital and the adjacent property, is more suitable for C-3 (highest and best use). Caroll Caldwell is representing the buyer.

Opponents: NONE.

Mr. Otis Spriggs gave a brief staff summary. Upon application Staff was not knowledgeable of any future plans of the ownership on the future use of this property. The lot faces Hudson Dr. and it is residential in character. After speaking with the applicant and confirming this new information, Staff withdraws the suggestion of the limited use overlay and would support a consolidated development and would support the C-3 request but have a stipulation in the minutes that a site plan would be required before MAPC to deal with the access issues. Having a development that will now front on Highway 49 N./Johnson Ave. would be more suitable.

A motion was made by Jim Scurlock, seconded by Lonnie Roberts Jr., that this matter be Recommended to Council with the understanding that a site plan will be required to be reviewed by MAPC. The motion carried by the following vote: 6 to 0.

Action: Ayes: Margaret Norris; Lonnie Roberts Jr.; Brian Dover;Paul Hoelscher; Jr.;Ron Kelton and Jim Scurlock; **Chair** Jerry Halsey- No Vote
Absent: 2 - Joe Tomlinson and John White

Conclusion:

The MAPC and the Planning Department Staff find that the requested Zone Change submitted by David Bogan, should be evaluated based on the above observations and criteria, of Case RZ10-19, a request to rezone property from R-1 to C-3 is recommended to the City Council.

Respectfully Submitted for Council Consideration,

Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



View looking of the subject property along Hudson Dr.



View of street and frontage of subject property.



View looking northeast of the commercial properties within the area.



View looking southwest of the subject property.



View looking southwest of the side yard and abutting acreage.



View looking north of the adjacent property from the front yard.



View looking west of the properties within the neighborhood.



View looking north of rear property from Johnson Ave.



View looking northeast along Johnson Ave.



View Looking southwest along Johnson Ave (across Highway 49).