



**City of Jonesboro City Council
Staff Report – RZ08-20: MapleValley - Carpenter
Huntington Building - 900 W. Monroe
For Appeal before the Council - October, 2008**

REQUEST: To consider an appeal of a denial of a rezoning a parcel of property containing approximately .88 acres more or less.

PURPOSE: A request for rezoning from R-1 Residential to C-4 Limited Use Overlay for a quiet light commercial assembly of small electrical components.

OWNER: Wade & Katrina Carpenter, 5309 Cordova Ln. , Jonesboro AR.

LOCATION: 5416 Maple Valley Dr., Jonesboro, AR

SITE DESCRIPTION:
 Tract Size: Approx. .88 acres
 Frontage: Approx. 308.46 feet (Maple Valley Dr.)
 Topography: Flat
 Existing Dvlpmt: Former Fire Station previously auctioned

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
North:	R-1	Single Family
South:	R-1	Single Family
East:	R-1	Single Family
West:	R-1	Single Family

HISTORY: The structure was previously a fire station which are typically allowed in a residential area; however the recent sale of the premises discontinued that use.

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 subject immediate area is pending a restudy on the land use map by the Land Use Advisory Committee and will most-likely maintain a single family residential.

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 requesting a rezoning to allow a light assembly commercial use. The zoning plat shows the existing structure on the property. The owner purchase the property from the City of Jonesboro through a bidding process. The previous fire station formerly owned by the City was a brick structure but due to the deterioration of the bricks, City Council approved the removal of the bricks. The applicant has since, refaced the walls with new brick.

During that time of the sale, staff consulted with all or most of the potential bidders and explained that the premises was previously a fire station and explained that the property would have to be rezoned to be used for any active commercial. It was also explained that the most probable use of the structure would be a home or residential storage, or some type of use that was parallel with the Fire Station. This would have to be validated by the Board of Zoning Appeals through the transfer of a non-conforming use process.

Staff met with the current owner and explained the above and also was introduced to the current business proposal, which is to assemble a small electrical component. The owner currently assembles the product as a home occupation due to the limited size and nature of the component.

The underlying zoning question is which compatible use could a previous fire station can be converted to while within a residential neighborhood, without compromising the existing character of the area. If the MAPC

determines that the use requested is better fitted for the Limited Industrial Sector (I-1), then Staff will not support such spot zoning. It is our understanding that the residents, nor the Commission had been shown the component prior to September 9, 2008, which could have answered most concerns and questions. Controls which would preserve the residential character of the area, as well as buffer abutting residential properties while reducing any lighting, noise or negative impacts such as excessive deliveries and traffic will have to be demonstrated and addressed.

Conclusion:

The MAPC held a public hearing on September 9, 2008, and denied the requested Zone Change submitted by Wade Carpenter - Case of RZ-08- 20, a request is to rezone property from R-1 to C-4 Residential Commercial Limited Use Overlay; the applicant has filed an appeal of that decision before the Jonesboro City Council. (See the attached Record of Proceedings)

Respectfully Submitted for Council,

Otis T. Spriggs, AICP
City of Jonesboro
Planning Director

Site Photographs



View looking Northeast at subject building



View looking North on Maple Valley Dr.



View looking South on Maple Valley Dr. towards Hwy. 49S



View looking West across Maple Valley Dr. from site



View looking east



View looking North on Maple Valley Dr.



View looking at East towards Project Site