

*City of Jonesboro Metropolitan Area Planning Commission
Staff Report – RZ 17-12: 1121 South Main Street
Municipal Center - 300 S. Church St.
For Consideration by the Commission on June 27, 2017*

REQUEST: To consider a rezoning of one tract of land containing 0.33 acres more or less.

PURPOSE: A request to consider recommendation to Council by the MAPC a rezoning of 0.33 acres of land located at 1121 S. Main Street from R-2 Multi-Family Low Density District to C-2 Downtown Fringe Commercial District.

**APPLICANTS/
OWNER:** Derek Spiegel 3002 Pinewood Circle, Jonesboro, AR 72404
Sarah Russell 1121 South Main, Jonesboro, AR 72417

LOCATION: 1121 South Main Street, Jonesboro, AR 72404

**SITE
DESCRIPTION:** **Tract Size:** Approx. 0.33
Street Frontage: 340 Feet
Topography: Flat
Existing Development: Single Family House

SURROUNDING CONDITIONS:

ZONE	LAND USE
North	C-5 Commercial
South	R-2 Residential
East	R-2 Residential
West	R-2 Residential

HISTORY: This land has been developed as a single-family house.

ZONING ANALYSIS

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

COMPREHENSIVE PLAN LAND USE MAP

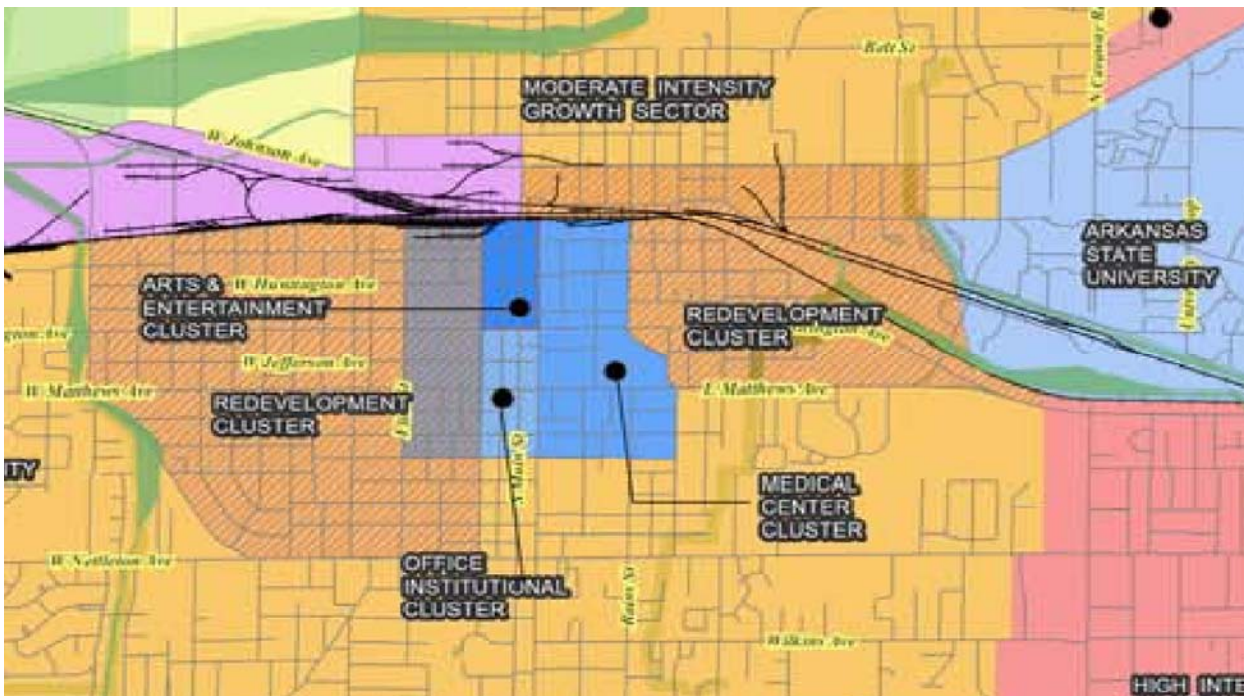
The Current/Future Land Use Map recommends this location as a Moderate Intensity Growth Sector. A wider mix of land uses is appropriate in the moderate intensity sectors. Control of traffic is probably the most important consideration in this sector. Additionally, good building design, use of quality construction materials, and more abundant landscaping are important considerations in what is approved, more so than the particular use. Limits on hours of operation, lighting standards, screening from residential uses, etc. may be appropriate. Consideration should be given to appropriate locations of transit stops.

Moderate Intensity Growth Sector Recommended Use Types Include:

- Single Family Residential
- Attached Single Family, duplexes, triplexes and fourplexes
- Neighborhood retail, neighborhood services
- Office parks
- Smaller medical offices
- Libraries, schools, other public facilities
- Senior living centers/ nursing home, etc.
- Community-serving retail
- Small supermarket
- Convenience store
- Bank
- Barber/beauty shop
- Farmer’s market
- Pocket Park

Master Street Plan/Transportation







The subject site is served by South Main Street. The street right-of-ways must adhere to the Master Street Plan.



Adopted Land Use 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:

Criteria	Explanations and Findings	Comply Y/N
(a) Consistency of the proposal with the Comprehensive Plan/Land Use Map.	The proposed C-2 rezoning is consistent with the Future Land Use Plan, which was categorized as a High Intensity Growth Sector.	
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	The proposal will achieve consistency with the purpose of Chapter 117.	
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	Compatibility is achieved. This area already has several commercial developments along Southwest Drive.	
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment.	Property is suitable for both residential and commercial development. This lot currently has a house built on it.	
(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.	This site and use should not be a detriment to the area if controls are implemented to screen and buffer any environmentally sensitive surrounding uses.	
(f) 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.	Minimal impact if rezoned due to the fact that business currently exist with only minor upgrades.	

Staff Findings:

Applicant’s Purpose:

The applicant would like to rezone this property so he can open a private practice counseling office in the downtown area. He believes the building located at 1121 S. Main is the perfect spot to start his practice. The counseling practice, The Refuge Counseling Center LLC, will provide counseling services in a private setting that will assist individuals struggling with life’s day-to-day challenges.

Chapter 117 of the City Code of Ordinances/Zoning defines Commercial District as follows:

C-2 Downtown Fringe Commercial District. This district provides for a transitional area between the downtown core commercial district (C-2) and the surrounding older residential areas, which have yet to experience intrusions of other type uses. The fringe area is characterized by mixed uses, including offices, services, government facilities and housing. This district is generally considered an inappropriate location for large retail uses greater than 3,000 square feet.

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 objections to this rezoning to date.	
Streets/Sanitation	No objections to this rezoning to date.	
Police	No objections to this rezoning to date.	
Fire Department	No objections to this rezoning to date.	
MPO	No objections to this rezoning to date.	
Jets	No objections to this rezoning to date.	
Utility Companies	No objections to this rezoning to date.	

MAPC RECORD OF PROCEEDINGS: PUBLIC HEARING HELD ON JUNE 27, 2017

APPLICANT: APPLICANT: Mr. Derek Spiegel is requesting a rezoning for property located at 1121 South Main Street. He would like to rezone the property from R-2 Multi-Family Low Density District to C-2 Downtown Fringe Commercial District. Mr. Spiegel would like to open a private practice at this location. The clients he would be seeing at this location would be individuals dealing with everyday problems. The clients would not have major mental disorders. He feels like he can connect better to his clients in a home setting.

STAFF: Mr. Derrel Smith asked if the applicant would like to request a limited use overlay with this request. Mr. Spiegel said he would like to rezone the property to C-2 Downtown Fringe Commercial District with a Limited Use Overlay. He would like to limit the use to general office use only. He wants to limit the use so the neighbors around this address would not have to worry about anything like a bed and breakfast or gas station moving into the location.

STAFF: Mr. Derrel Smith said he 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 and Flood Plain Regulations regarding any new construction.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC, prior to any redevelopment of the property.
3. Any change of use shall be subject to Planning Commission approval in the future.
4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering etc. shall be submitted to the MAPC prior to any redevelopment. New screening outdoor storage and dumpster enclosure requirements shall be implemented if stipulated by the MAPC.
5. The property shall be limited to general office use only.

PUBLIC: Ms. Susan Hall asked Mr. Smith if there was any way this could be a home office.

STAFF: Mr. Derrel Smith said the applicant does not want to live at the location so the property will have to be rezoned to C-2. This cannot be home office because the applicant is not moving into the building.

COMMISSION: Mr. Reece wanted to make sure the owner did sign the rezoning application.

STAFF: Mr. Derrel Smith said the property owner did sign the rezoning application.

No public comments.

COMMISSION ACTION:

Mr. Denise Zopher made a motion to approve Case: RZ: 17-12, as submitted, to the City Council with the noted conditions, and the MAPC find that to rezone property from “R-2” Multi-Family Low Density District to “C-2” Downtown Fringe Commercial District Limited Use Overlay 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 and Flood Plain Regulations regarding any new construction.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC, prior to any redevelopment of the property.
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5. The property shall be limited to general office use only.

Motion was seconded by Mr. Jimmy Cooper.

Roll Call Vote: 7-0, Aye’s: Jim Scurlock; Ron Kelton; Kevin Bailey; Jimmy Cooper; Jim Little; Jerry Reece; and Denise Zopher.

Absent: Rick Stripling

Conclusion:

The Planning Department Staff finds that the requested Zoning Change submitted for subject parcel, should be approved based on the above observations and criteria of Case RZ 17-12, a request to rezone property from R-2 Multi-Family Low Density District to C-2 Downtown Fringe Commercial District Limited Use Overlay, subject to final site plan approval by the MAPC.

1. That the proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations regarding any new construction.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC, prior to any redevelopment of the property.
3. Any change of use shall be subject to Planning Commission approval in the future.
4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering etc. shall be submitted to the MAPC prior to any redevelopment. New screening outdoor storage and dumpster enclosure requirements shall be implemented if stipulated by the MAPC.
5. The property shall be limited to general office use only.

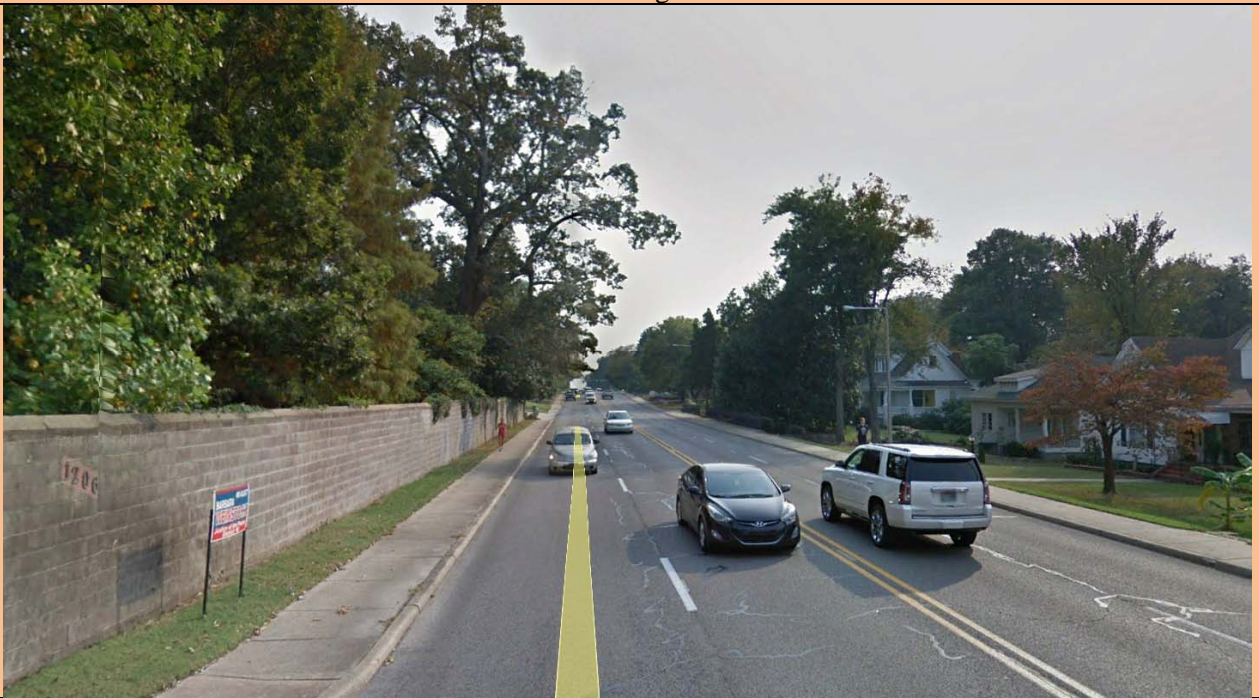
Respectfully Submitted for Planning Commission Consideration,
The Planning Department

Sample Motion:

I move that we place Case: RZ 17-12 on the floor for consideration of recommendation by MAPC to the City Council with the noted conditions, and we, the MAPC find that changing the zoning of this property from R-2 Multi-Family Low Density District to the proposed C-2 Downtown Fringe Commercial District, will be compatible and suitable with the zoning, uses, and character of the surrounding area, subject to the Final Site Plan review and approval by the MAPC in the future.



View looking North



View looking South



View looking East



View looking West