

***City of Jonesboro Metropolitan Area Planning Commission
Staff Report – RZ 24-06, 2800 5415 Southwest Drive
300 S. Church Street/Municipal Center
For Consideration by Planning Commission on April 9, 2024***

REQUEST: To consider a rezoning of one tract of land containing 0.36+/- acres

PURPOSE: A request to consider recommendation to Council for a rezoning from “R-1”, single family medium density district, to “C-3” general commercial district.

APPLICANT: Jeremy Moore, 2013 Jamestown Dr., Jonesboro, AR 72404

OWNER: Same

LOCATION: 5415 Southwest Drive

SITE DESCRIPTION: **Tract Size:** Approx. 0.36Acres
Street Frontage: Approx. 174 ft. on Southwest Drive & 73 ft. on Darr Hill Road

Existing Development: Vacant

SURROUNDING CONDITIONS:

ZONE	LAND USE
North	R-1 – Residential
South	C-4 - Vacant
East	C-3 – Commercial
West	R-1 – Residential

HISTORY: Property has been vacant for several years.

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 **High Intensity** Growth Sector.

A wide range of land uses is appropriate in the high intensity zone, 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.

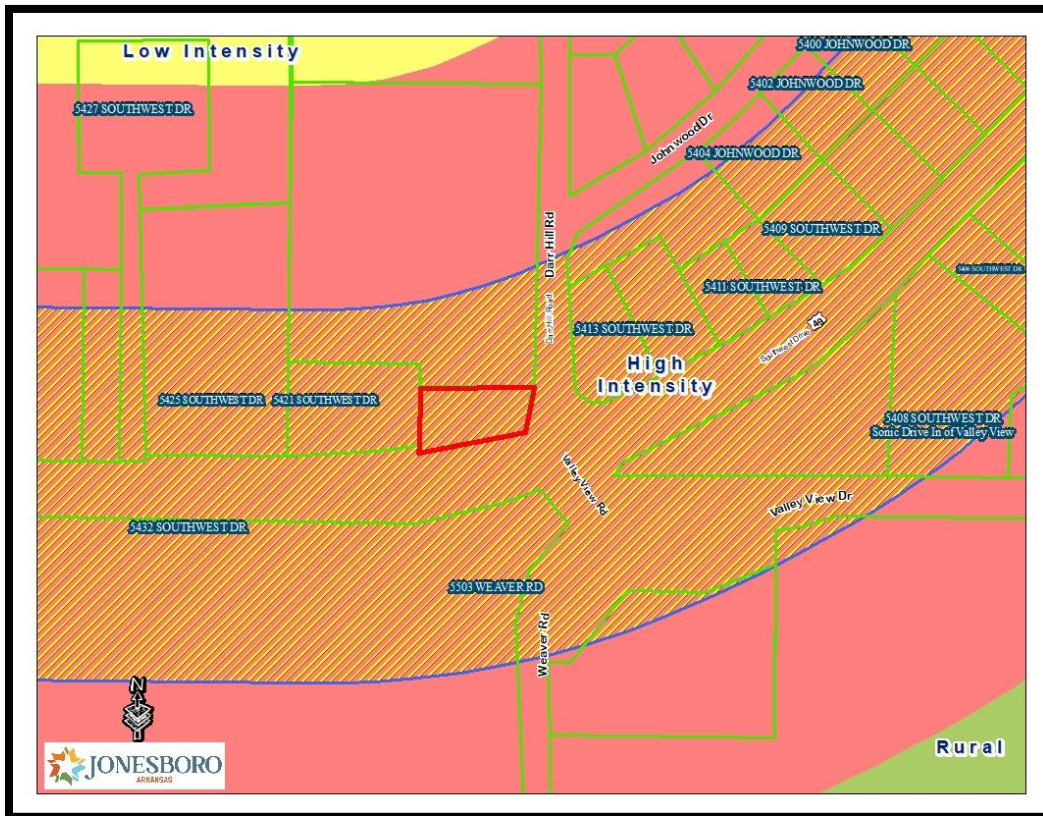
Typical Land Uses:

- 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

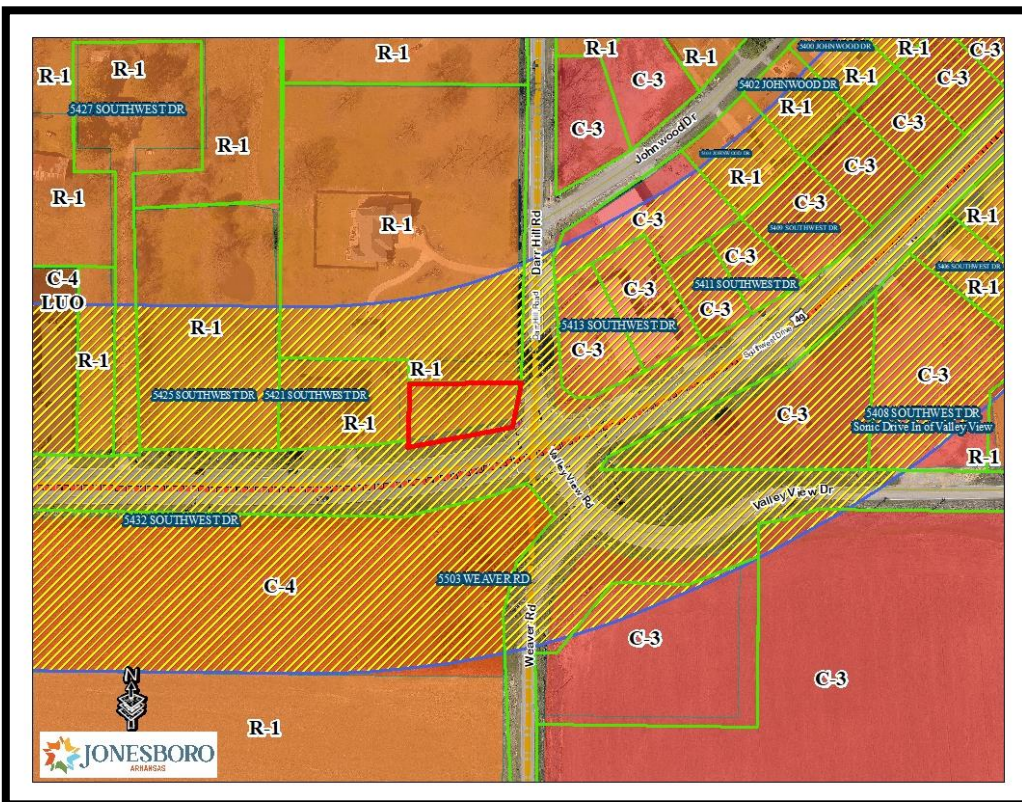
Density: Multi-family 8-14 Dwelling Units per acre

Height: 150 feet

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



Land Use Map



Zoning Map

Master Street Plan/Transportation

The subject property will be served by Southwest Drive and Darr Hill Road. The Master Street Plan classifies Southwest as a Principal Arterial and Darr Hill as a Collector.

Principal Arterials provide both long distance connections through the urban area and to major traffic generators within the community. Roadways are designated principal arterials to imply the need to focus more on moving traffic rather than providing direct access to adjacent land. Traffic management techniques used to maintain a high level of traffic capacity on these roadways include the use of medians, restricting curb cuts per some spacing policy, and limiting the use of traffic signals to the intersection with other significant roadways.

FUNCTION: The primary function of a Principal Arterial is to serve through traffic and to connect major traffic generators or activity centers within an urbanized area. Since these roads are designed for through traffic and are generally located three or more miles apart, dedication of additional right-of-way is required to allow for future expansion to four through lanes plus left and right turn lanes. At intersections with Collector Streets or other Arterials (principal or minor), additional right-of-way may be required if the anticipated turning movements warrant extra lanes.

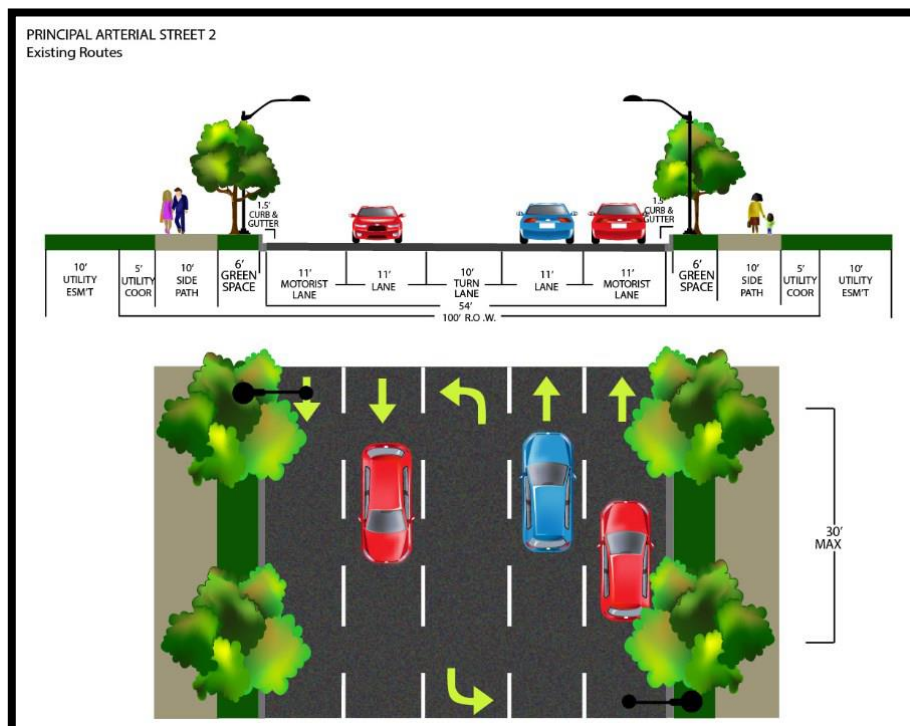
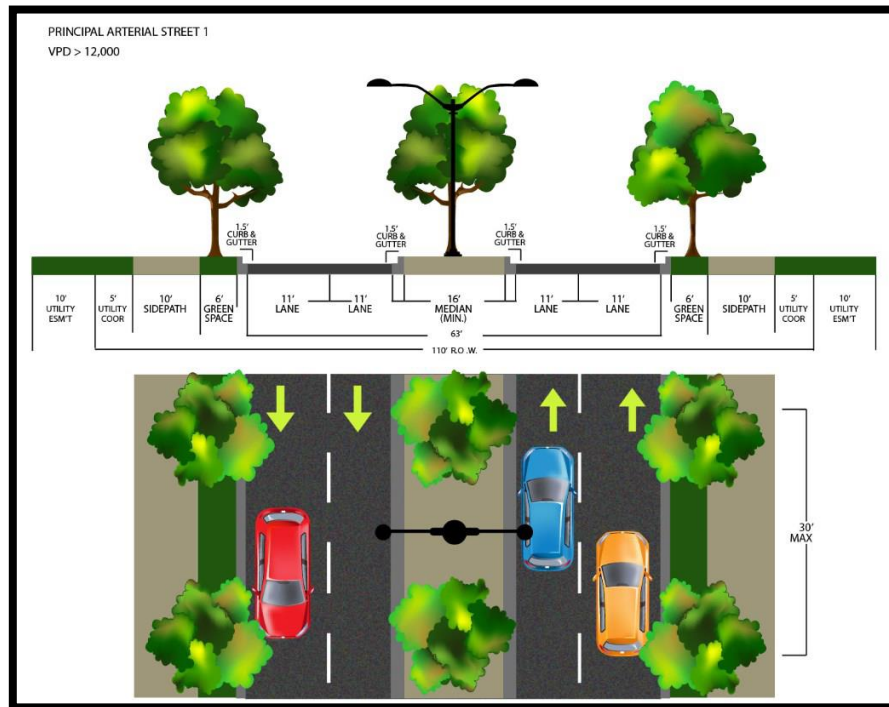
DESIGN: The standard Principal Arterial is to be used in all cases except where City Staff and the MAPC find that an unusual condition occurs. In such cases, the Other Principal Arterial Design Option provided in this section may be used. Cross-section selection shall be based on traffic impact analysis. Design in accordance with AASHTO policy on Geometric design of highways and streets (current edition).

Collectors provide for traffic movement between arterials and local streets. They carry moderate traffic volumes over moderate distances and have a higher degree of property access than arterials.

FUNCTION: A Collector Street is the traffic connection from Local Streets to Arterials, with the secondary function of providing access to adjoining property. The Collector system should not be continuous but should direct traffic to Arterials. This class of road is generally at a spacing of a quarter mile. At the time of the subdivision, the exact location and additional need for Collectors will be determined by the MAPC upon advice of the City Staff.

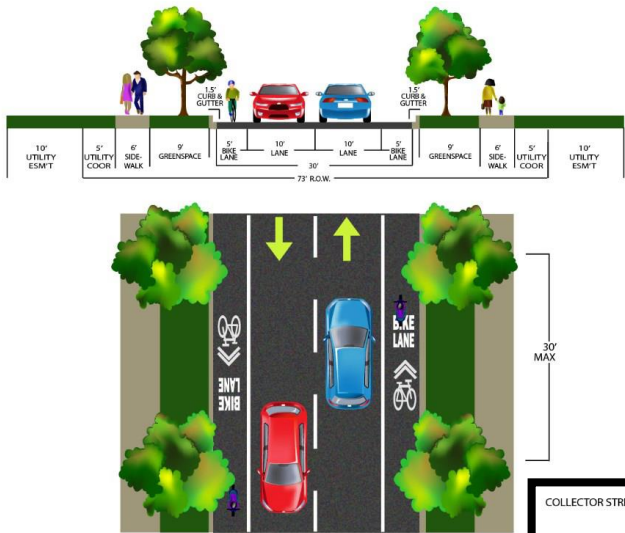
DESIGN: Cross-section selection shall be based on anticipated traffic volume and speed limit, or traffic impact analysis, if applicable. Design in accordance with AASHTO policy on Geometric design of highways and streets (current edition).

Principal Arterial

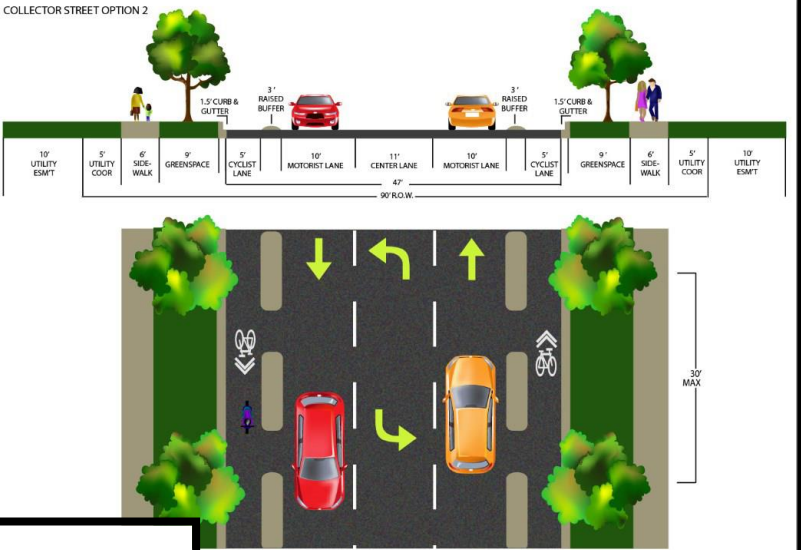


Collector Street

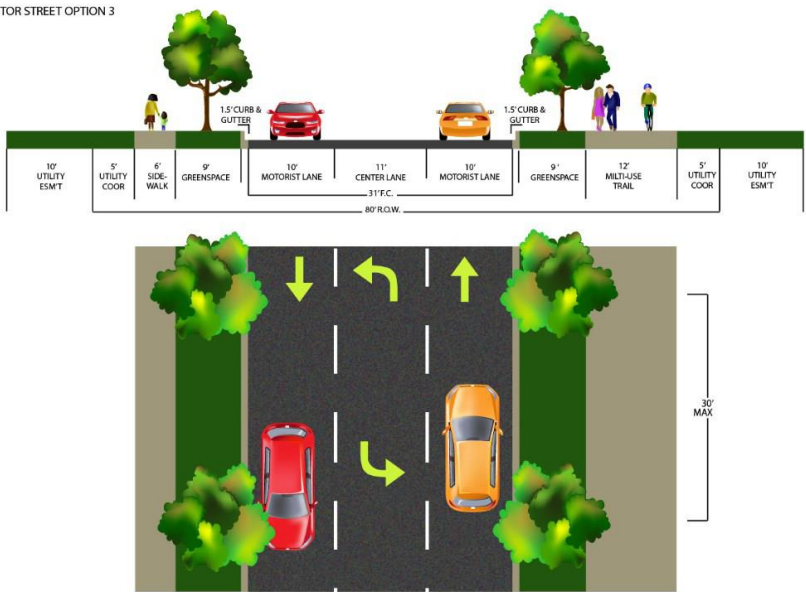
COLLECTOR STREET OPTION 1
VPD > 3,000



COLLECTOR STREET OPTION 2



COLLECTOR STREET OPTION 3



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 district rezoning is consistent with the Adopted Land Use Plan. The property is located in the 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, with compliance of all District standards.	
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	Compatibility is achieved with this rezoning considering the surrounding area includes commercial zonings and uses.	
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;	Without the proposed zoning map amendment, this property cannot develop as a commercial use.	
(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;	With proper planning there should not be any adverse effects caused by the property.	
(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 the area is already equipped to handle commercial and other high intensity uses.	

Staff Findings:

Applicant's Purpose

The proposed area is currently classified as "R-1" single family medium density district. The applicant is applying for a rezoning to allow commercial uses at this location.

Rezoning this property is consistent with the *Jonesboro Comprehensive Plan* and the *Future Land Use Plan*.

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

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	

Conclusion:

The Planning Department Staff finds that the requested zone change submitted for the subject parcel should be evaluated based on the above observations and criteria of Case RZ 24-06 a request to rezone property “R-1”, single family medium density district, to “C-3” general commercial district; the following conditions are recommend:

1. 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 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. The site shall comply with all overlay district standards.

Respectfully Submitted for Planning Commission Consideration,
The Planning and Zoning Department

Sample Motion:

I move that we place Case: RZ 24-06 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 “R-1”, single family medium density district, to “C-3” general commercial district will be compatible and suitable with the zoning, uses, and character of the surrounding area.

MAPC RECORD OF PROCEEDINGS: PUBLIC HEARING HELD ON APRIL 9, 2024

RZ-24-06

Rezoning: 5415 Southwest Drive

Jeremy Moore is requesting a rezoning from R-1, single family medium density district, to C-3, general commercial district. This request is for 0.36 acres.

Jeremy Moore (Proponent): Jeremy Moore, I'm the owner, looking to rezone it from residential to commercial, not only do I feel that this is best use of the property, it also coincides with the city's future land use map, which calls for everything to be commercial up and down Southwest Drive. You can look at the properties beside it that are all currently commercial, the new Sonic is across, the old Ford dealership across, the only other one would be the old Floyd house next door which is residential. I realize there is a house behind it, however if you look down Southwest drive you'll see other commercial properties which have residential housing behind it as well. The Dollar General, the bingo hall, all the properties up and down, even Sonic has residential property butting up to that. I just feel that it's the best use for that, especially since that's what the city calls for.

Lonnie Roberts (Chair): Alright is that it for now?

Jeremy Moore: Yes.

Lonnie Roberts: City planner do you have the staff comments on this one?

Derrel Smith (City Planner): Yes we do, Mr. Ford it does meet all 6 criteria, so we would recommend approval with the following stipulations;

1. That the site shall satisfy all requirements of the city engineer, all requirements of the current storm water 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 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. The site shall comply with all overlay use standards.

Lonnie Roberts: Alright now with this rezoning request is there anybody here who would like to give public comments, on this request? Would you please state your name and address for the record?

Mary Tucker (Opposed): Good evening my name is Mary Tucker, and I live at 5321 Darr Hill Road, directly behind this property. I'd like to point out that the only way to develop this piece of property is to get a variance to move it closer to our home. I am adamantly opposed to this zoning he mentioned a coffee shop twice in his application but there are no utilities on this lot and it's too close to the traffic light for a driveway. We have also received a notification that Mr. Moore is requesting a variance, changing the rear setback to 5 feet. I feel bad that Mr. Moore purchased a piece of land that he can't use but it's not my fault, and I shouldn't have to give up my property to fix this. Again, I don't want commercial property that close to my property. When we purchased this lot back in 2010 it was all residential, I respect the city's plan but without me giving up land, there isn't much that can be done to resolve this issue. I appreciate your time and respectfully ask that you deny this zoning request.

Lonnie Roberts: Alright, thank you for your comments.

Mary Tucker: Thank you

Lonnie Roberts: Anyone else here to give comments, would you please come up and state your name and address for the record.

Steve Floyd (Opposed): Good evening my name is Steve Floyd I live at 5421 Southwest Drive, my sister is here also Lisa Boward, she lives at 5427 Southwest Drive. That is the two residences that border this property. My family has owned this property since the 1940s we've always either been R-1 or Agricultural one or the other. You have residential property to the west, residential property to the north, you have a subdivision behind the old tractor dealership. I'm like Ms. Tucker I'm sorry that there's not a lot he can do with his property, but again I'm like her, that's not my problem. My problem is that I have to live next to it and I mean does anybody here really want to live next to a food truck or a coffee house? I don't. I've also heard a shop building, being built there and I don't want that either. I think that if you vote yes for this, you're going to be hurting more people than you're helping. I think it's going to drastically effect the value of our property. We own 13 and half acres also that hooks on to our property that's all R-1. The commercial property that's down there now, if you'll drive by and look at it, you can look at where the tractor dealership was, it's like a state sales place or something like that and today it's not too bad, but most of the time when you drive by it looks terrible. There's junk everywhere. The Dollar General that's down there, yesterday I picked up a garbage sack that was full of trash, on my property from the Dollar General. And I do that just about every time I mow our property. And it's just we have enough commercial property in Valley View right now. We have restaurants we have what we need. There's mini storages there. We don't need anything else right now. And I respectfully ask that you deny this. Thank you.

Lonnie Roberts: Thanks for your comments, anyone else?

Jonnie McNaff (Opposed): Hi, my name is Jonnie McNaff, I live at 2100 Paul Drive. We're situated behind the storage units and the Dollar General. I agree with the other two who have spoken as far as everything being residential. We were here not too long ago about a rezoning that was trying to take place next to the Floyd's house on the other side. And that was turned down because it is residential and anything you put there is going to impact all of the houses that are there. The one thing I haven't heard anyone speak to right now, is traffic. All of our kids go to Valley View and if you try to get to Valley View in the morning, there's a lot of traffic, Sonic is going to throw a monkey wrench into that also, but that lot is just not very big so if you're talking about people coming and going I'm not sure how you're going to do that, in any manner that's not going to impact traffic, only a daily basis. So, I'm definitely opposed to it. And my heart goes out to the people that are directly connected to that property, if this is allowed, because you know it's going to change their value a lot and just their enjoyment of their own property. Thank you.

Lonnie Roberts: Okay, thank you for your comments. We got time for about one more, anyone else? If not, we're going to open up and let the commissioners ask some questions.

Paul Ford (Commission): Is it correct that you have requested a variance for 5 feet in the rear line? Or is that incorrect?

Jeremy Moore (Proponent): No that is correct. But I appreciate Ms. Tucker's comments on the variance but that would be for another meeting, I'm just feel this is a straight rezoning, for that issue, regardless everything worth cause would be commercial and eventually if any of the other property is sold then it would have to be rezoned for that issue as well. A variance would be a totally separate issue to go along with it. But if I wanted to build a small shop building if I wanted to put in a fruit and vegetable stand or anything like that, low impact or high impact, which high impact would be very slim due to the size of the lot itself. It's still going to have to be rezoned to a commercial. When we look at best use, which I feel is what MAPC is here to do, I don't think we can say that best use for that piece of property is a residential zoning on it. There's currently a driveway coming off the property now, I realize that yesterday in the preliminary meeting, we were talking about having to have a variance in order to do that. But again I feel that, that would be for a separate meeting, where this is strictly for the rezoning portion of that.

Lonnie Roberts (Chair): So right now Jeremy is that the driveway I see coming out on Darr Hill?

Jeremy Moore: Yes.

Commission: Is that something you'd let him use Michael?

Michael Morris (City Engineer): We would have to allow him access to the property but that would probably be a temporary use, and then if the corner ever redeveloped then it would lose that temporary access.

Commission: What about Southwest drive is there room?

Michael Morris: We rather be coming off of Darr Hill than Southwest Drive because it has to be 225 from the signal and the piece of property is not that large.

Jeremy Moore: You know I currently live down Darr Hill road myself, so I mean I drive down Southwest drive on a daily basis, sure I pick up trash off of my lot just like Mr. Floyd does and I can respect him for that. Unfortunately this is a main arterial road coming into the city of Jonesboro and there's always going to be traffic, and I feel like that is one of the reasons why I again, with it hitting all 6 points is do, to the fact that it's going to be commercial, that's the best use overall.

Lonnie Roberts: Any other commissioners have questions? I'm trying to think is there issues that came up during the pre-meeting?

Kevin Bailey (Commission): Drives and cross access, you know the drive would be temporarily under permit.

COMMISSION ACTION:

Mr. Jim Little made a motion to approve Case RZ: 24-06, as submitted, to the City Council with the stipulations that were read by the Planning Department:

1. The site shall satisfy all requirements of the city engineer, all requirements of the current storm water drainage design manual and flood plain regulations regarding any new construction.
2. The final site plan is 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 will be submitted to planning department in the future.
4. The site shall comply with all overlay district standards.

The motion was seconded by Mr. Kevin Bailey.

Roll Call Vote:

Aye: 2 – Kevin Bailey, & Jim Little

Nay: 4 – Paul Ford, Stephanie Nelson, Jeff Steiling, Jimmy Cooper

Absent: 2 – Monroe Pointer & Dennis Zolper
