

City of Jonesboro City Council
Staff Report – RZ 19-13 1402 Highland Drive
 Municipal Center - 300 S. Church St.
For Consideration by the Commission on October 1, 2019

REQUEST: To consider a rezoning of one tract of land containing 2.01 acre more or less.

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

APPLICANTS/ OWNER: Armor Bank, Chad May, CEO, 1814 Executive Sq., Jonesboro, AR 72401

LOCATION: 1402 Highland Drive, Jonesboro, AR 72401

SITE DESCRIPTION: **Tract Size:** Approx. 2.01 Acre
Street Frontage: 267.96 feet along Highland Drive
Topography: Predominately Flat
Existing Development: Vacant Land

SURROUNDING CONDITIONS:

ZONE	LAND USE
North	R-1 Single Family – School Playground
South	R-1 Single Family – C-4 LUO Neighborhood Commercial District
East	C-4 LUO Neighborhood Commercial District
West	R-1 Single Family Residential District

HISTORY: Home that was torn down.

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 Moderate Intensity Growth Sector. Moderate Intensity has a wider mix of land uses. 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. The proposed rezoning is consistent with the adopted Land Use Plan for the proposed zoning.

MODERATE INTENSITY GROWTH SECTORS - RECOMMENDED USE TYPES INCLUDE:

- Mix of Single Family, Duplexes, Triplexes and Fourplexes
- Neighborhood Retail and Service
- Office Parks
- Smaller Medical Offices
- Libraries, schools, other public facilities
- Senior Living Centers / Nursing Homes
- Community-Serving Retail
- Small Supermarket
- Convenience Store
- Bank
- Barber/Beauty Shop
- Farmers Market
- Pocket Park

DENSITY: 1/5 TO 1/3 Acre Lots for Single Family

No More than six dwelling units per acre for Multi-Family. 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 standards that serve the development.

HEIGHT: 4 Stories

TRAFFIC: Approximately 300 peak hour trips (Commercial Only)

EXAMPLES:





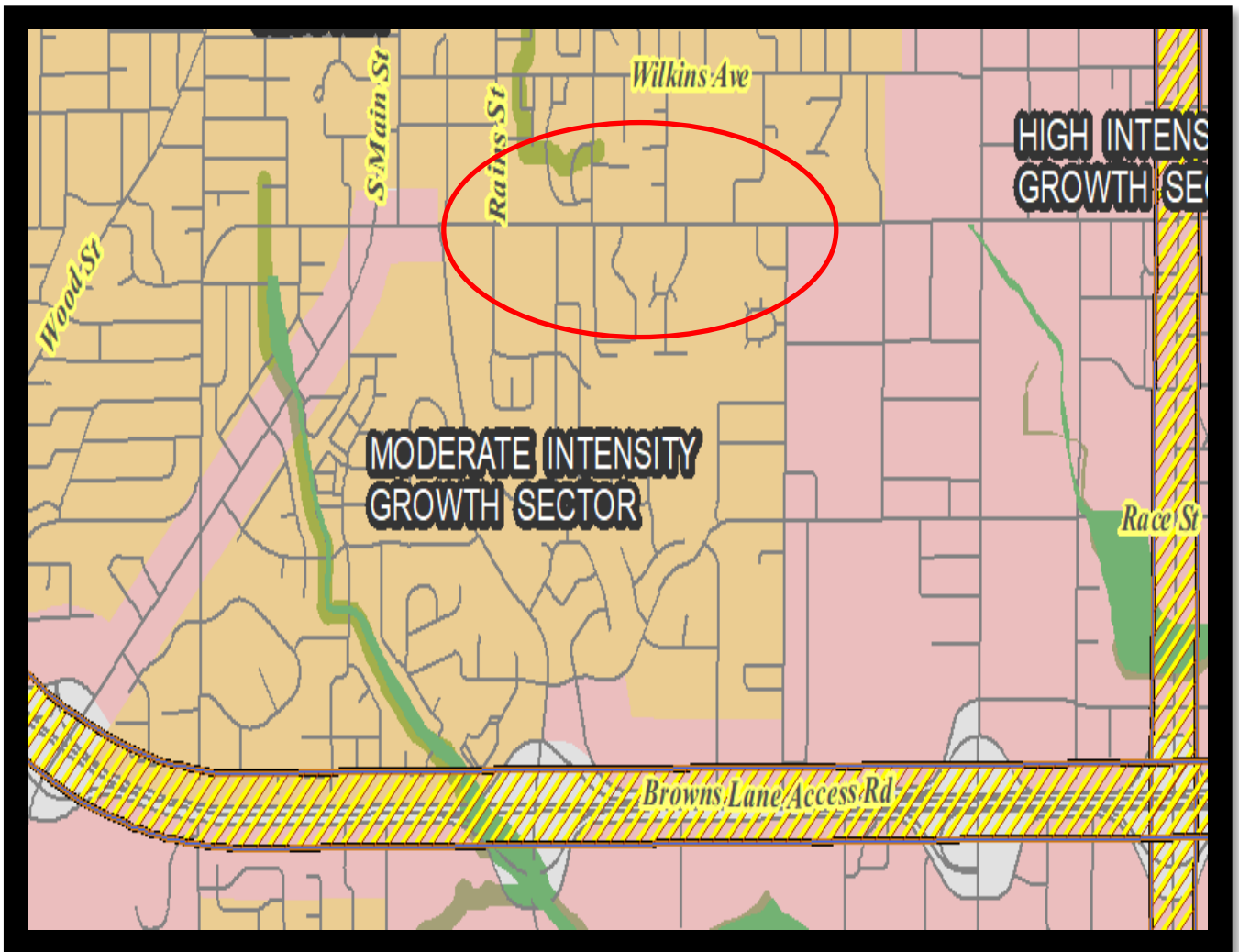
Fig. 10: Example Moderate Intense Type-Nursing Home



Fig. 11: Example Moderate Intense Type- Retail Service



Fig. 12: Moderate Intense Type- Retail/Office



Land Use Map







Master Street Plan/Transportation

The subject property is served by E. Highland Drive. Highland Drive on the Master Street Plan is classified a Principal Arterial. Principal Arterials provide both long distance connections through the urban areas 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.



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) Consistency of the proposal with the Comprehensive Plan/Land Use Map	The proposed district rezoning is consistent with the Adopted Land Use Plan, which was categorized as a Moderate 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 there are C-3 General Commercial Zoning in this area.	
(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 will not develop as Commercial. There was a single-family house on this lot, but was taken off the lot.	
(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;	No detrimental or adverse impacts are predicted, if proper planning is implemented. Newk's is located to the East of this 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 businesses and residential currently exist in this area.	

Staff Findings:

Applicant’s Purpose

The proposed area is currently classified as an R-1 Single-Family Residential Zone. The applicant is wanting to rezone this property to C-3 General Commercial Limited Use Overlay for a 5,000 sq. ft. Armor Bank Branch.

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	Reported no issues.	
Streets/Sanitation	No issues were reported	
Police	No issues were reported	
Fire Department	Reported no issues.	
MPO	No issues were reported	
Jets	Reported no issues.	
Utility Companies	Reported no issues.	CWL
Code Enforcement	Reported no issues.	

MAPC RECORD OF PROCEEDINGS: PUBLIC HEARING HELD ON SEPTEMBER 24, 2019

Armor Bank is requesting MAPC Approval for a Rezoning from R-1 Single Family Residential District to C-3 General Commercial District for 2.01 acres +/- of land located at 1402 Highland Drive.

APPLICANT: Jim Grambling of Grambling Law Firm representing Armor Bank stated this property is to the West of Newks. It will be a relatively small bank branch, around 4500-5000 square feet on a two acre lot. He stated they had a Neighborhood Meeting and the minutes from that meeting are a part of the application packet. Seven or eight people showed up. They had questions, but no one voiced any objections. They seemed generally to be in favor of it as a compromise for that area. He sent notice to not just people within 200', but to all neighbors in the Highland Forest area. The bank asked for this to be transparent, open, and to be good neighbors. He also talked to the Superintendent of the school and she was in favor of the bank. One of the concerns at the Neighborhood Meeting was landscaping. He understands there are landscaping standards that the city has. There are several mature trees on the property. The client is committed to keeping as many of the mature trees on the property as possible. This will not be a high trafficked branch. This is more of a billboard for digital banking. As seen in the pictures, this looks almost like a house. It is a beautiful building that is residential in appearance. They are not trying to overfill the lot at all. He believes this is the best use of the land given where it is and the nature of this project.

COMMISSION: Lonnie Roberts Jr. asked for staff comments.

STAFF: Derrel Smith stated this does meet the city land use plan. We asked Mr. Grambling if he would add the limited use overlay since C-3 is a fairly broad zoning. He spoke with his client and they agreed to the limited use overlay. I will have a list of what will not be allowed there also. He stated they would recommend approval with the following requirements:

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 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 Property has to have a fence separating the Residential from the Commercial Zoning.
6. The Limited Use Overlay will not permit: Adult Entertainment, Auditorium or Stadium, Bed and Breakfast, Carwash, Cemetery, College or University, Communication Tower, Convenience Store, Day Care Limited, Day Care General, Funeral Home, Golf Course, Hospital, Hotel or Motel, Library, Medical Marijuana Dispensary, Nursing Home, Parks and Recreation, Pawn Shops, Recreational Vehicle Park, Safety Services, Service Station, Off-Premise Signs, Utility, Major, Vehicle and Equipment, Vehicle Repair General and Limited, Warehouse – Residential (mini-storage).

COMMISSION: Lonnie Roberts Jr. asked for public comment. There was none. He then opened for Commissioner comment.

COMMISSION: Mary Margaret Jackson stated she agrees that it is a very attractive design. She stated when you are doing the landscaping, she hopes that they may be able to keep some of the old growth trees in the area. That would be in keeping with the surrounding neighborhoods. It is heavily wooded. That would look more attractive and in line with what is already there.

APPLICANT: Jim Grambling stated his client intends to do exactly that.

COMMISSION: Jerry Reece commended Mr. Grambling for his neighborhood meeting. He stated this same property came up several years ago and those were the people in opposition then.

COMMISSION ACTION:

Mr. Jimmy Cooper made a motion to approve Case: RZ: 19-13, 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 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. 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.**
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The MAPC find to rezone property from “R-1” Single Family Residential District to a “C-3” General Commercial District for 2.01 +/- acres of land. Motion was seconded by Mr. Jim Little.

Roll Call Vote: 7-0, Aye’s: Jim Scurlock; Mary Margaret Jackson; David Handwork; Kevin Bailey; Jerry Reece; Jimmy Cooper; Jim Little

Absent: Dennis Zolper

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 19-13 a request to rezone property from “R-1” Single Family Residential District 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 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.
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Respectfully Submitted for Planning Commission Consideration,
The Planning and Zoning Department

Sample Motion:

I move that we place Case: RZ 19-13 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 Residential District to “C-3” General Commercial District Limited Use Overlay will be compatible and suitable with the zoning, uses, and character of the surrounding area.

PICTURES OF LOCATION

