

City of Jonesboro Metropolitan Area Planning Commission
Staff Report – RZ 23-17, 604 E. Highland Dr.
300 S. Church Street/Municipal Center
For Consideration by Planning Commission on November 14, 2023

REQUEST: To consider a rezoning of one tract of land containing 2.06 +/- acres

PURPOSE: A request to consider recommendation to Council for a rezoning from “C-4 LUO” neighborhood commercial district with a limited use overlay to “C-3 LUO” general commercial district with a limited use overlay.

APPLICANT: Horizon Land Surveying, LLC, 2918 Wood St., Jonesboro AR, 72404

OWNER: Pilgrim Lutheran Church, 1812 Rains St., Jonesboro AR, 72401

LOCATION: 604 E. Highland Drive

SITE DESCRIPTION: **Tract Size:** Approx. 2.06 Acres
Street Frontage: Approx. 593 ft. on Highland Drive and Rains Street

Existing Development: Vacant home

SURROUNDING CONDITIONS:

ZONE	LAND USE
North	R-1 – Residential
South	R-1 – Undeveloped
East	R-1 - Residential
West	C-4 LUO – Commercial

HISTORY: Property has been vacant for a number of 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 **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.

Typical Land Uses:

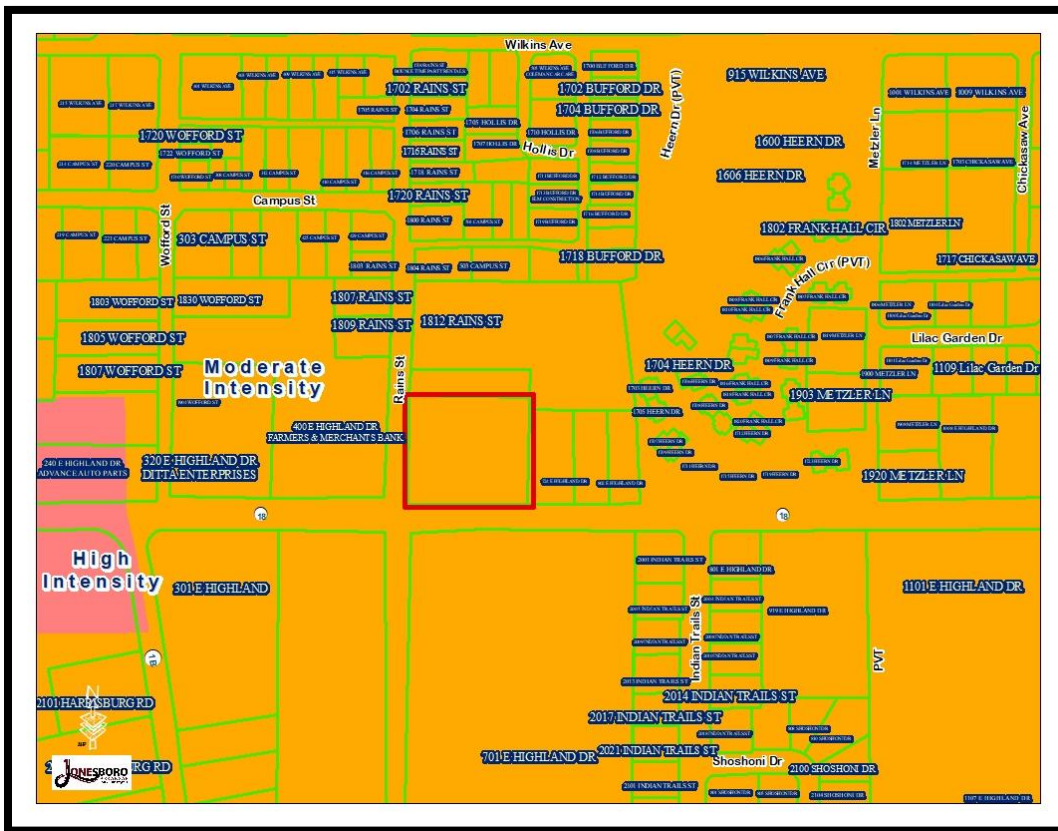
- Single Family Residential
- Attached Single Family, duplexes, triplexes and fourplexes
- Neighborhood retail, Neighborhood services Office parks
- Smaller medical offices
- Libraries, schools, other public facilities
- Senior living centers/nursing homes, etc.
- Community-serving retail
- Small supermarket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

Density: 1/5 to 1/3 acre lots for Single Family

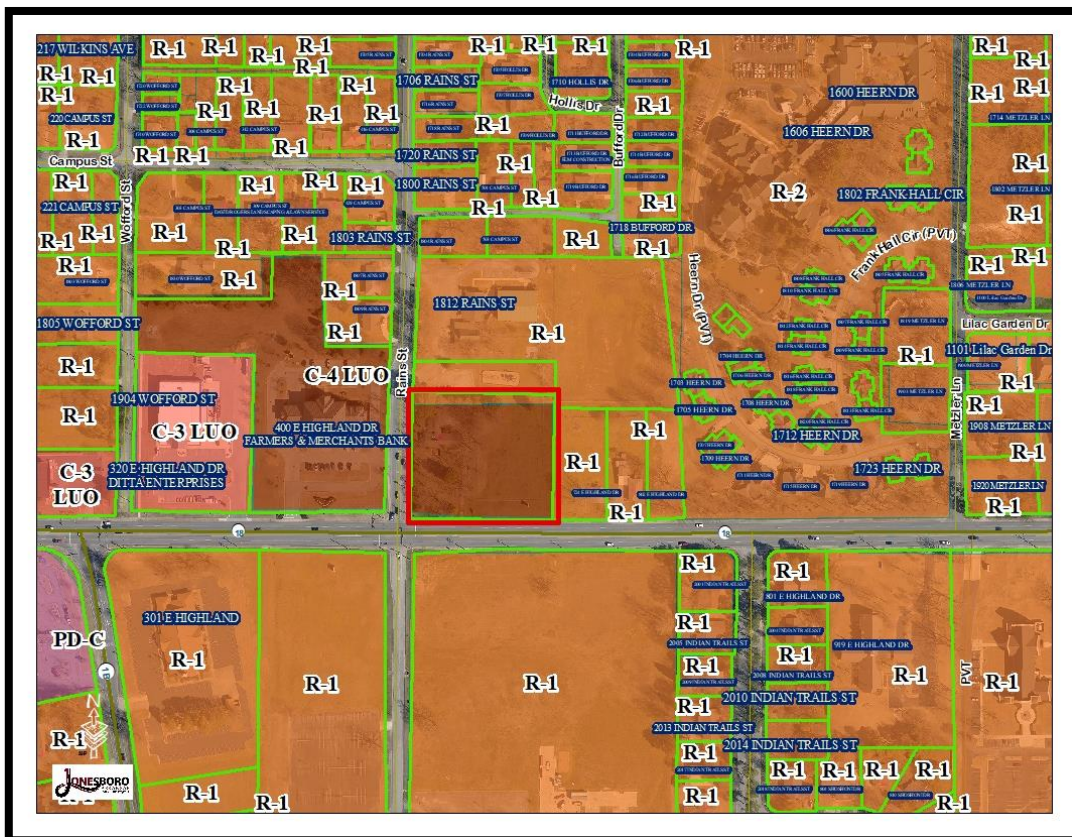
No more than six dwelling units per acre for Multi-Family. Multi-Family should only be allowed on collector and above streets that have been improved or scheduled to be improved in the next construction cycle of city projects unless the developer is willing to build the roads to Master Street Plan stands that serve the development.

Height: 4 stories

Traffic: Approximately 300 peak hour trips (Commercial Only)



Land Use Map



Zoning Map

Master Street Plan/Transportation

The subject property is served by Rains Street and East Highland Drive. The Master Street Plan classifies Rains Street as a **Collector** and East Highland as a **Principal Arterial**.

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.

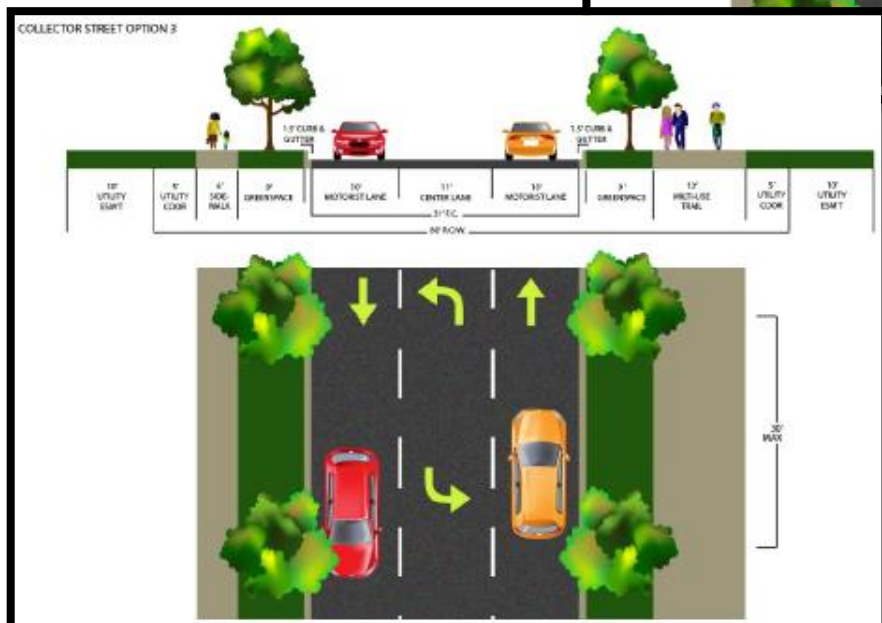
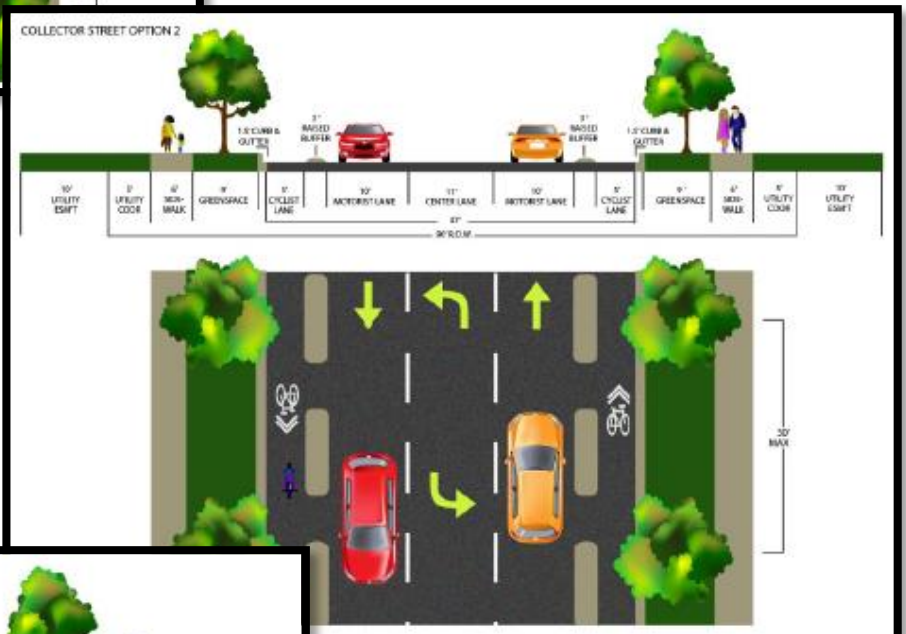
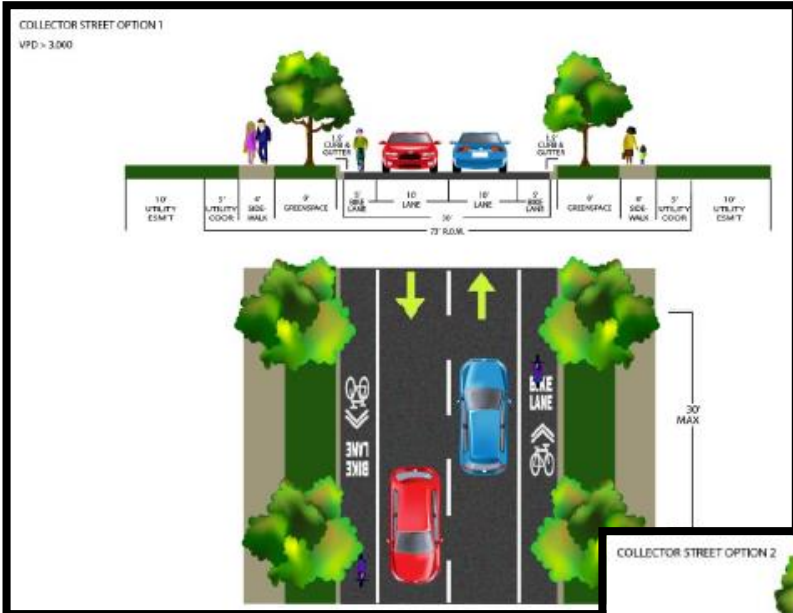
DESIGN: Cross-section selection shall be based on anticipated traffic volume and speed limit, or traffic impact analysis, if applicable. Design in accordance with AASHTO policy on Geometric design of highways and streets (current edition).

Principal 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.

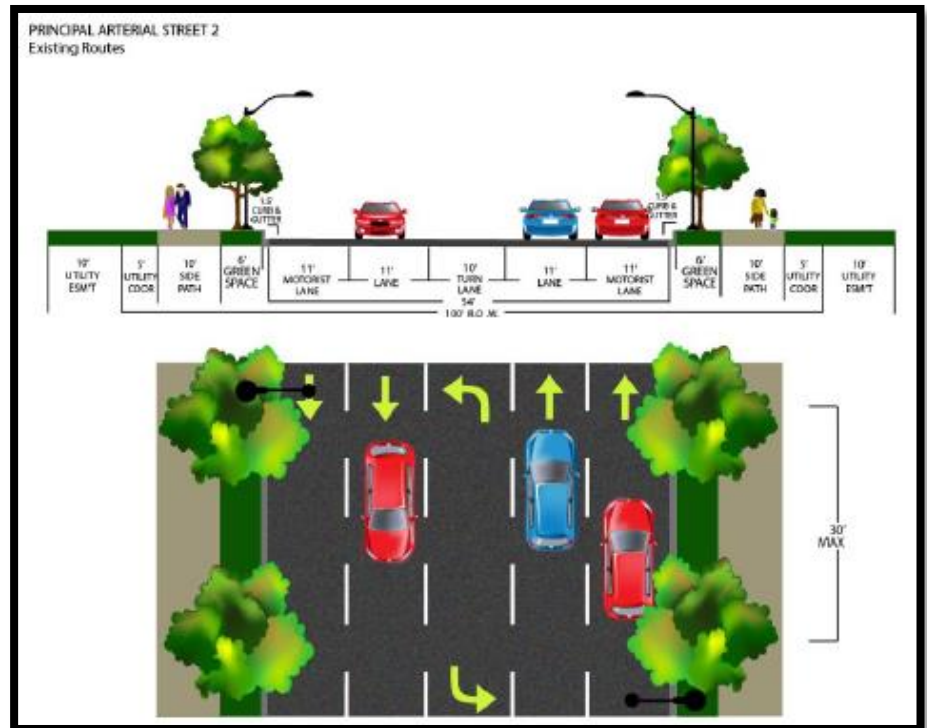
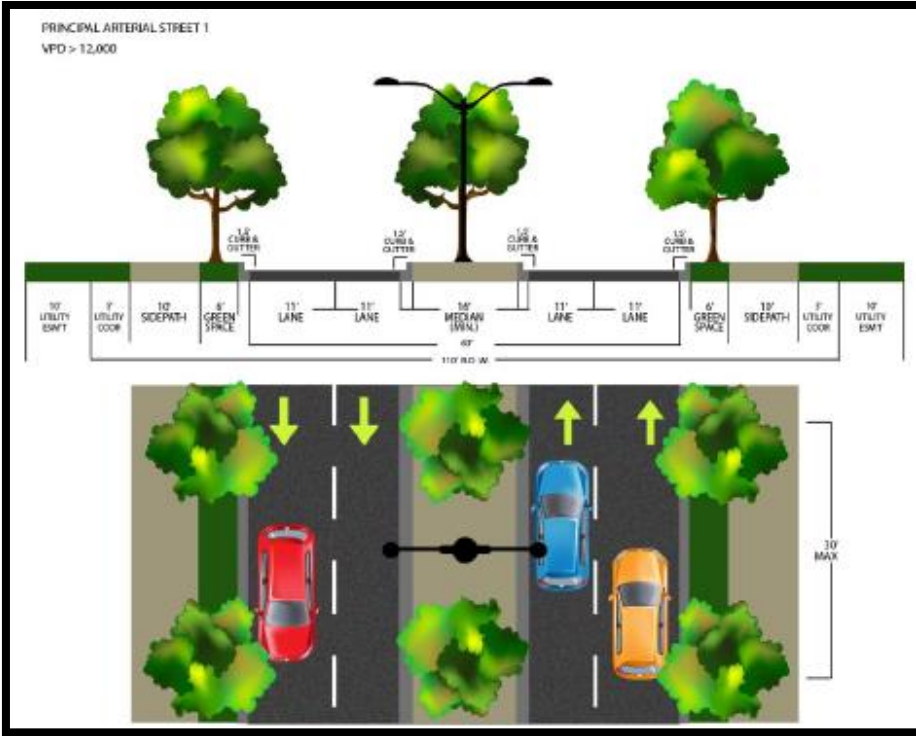
FUNCTION: The primary function of a Principal Arterial is to serve through traffic and to connect major traffic generators or activity centers within an urbanized area. Since these roads are designed for through traffic and are generally located three or more miles apart, dedication of additional right-of-way 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









Principal Arterials



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 not consistent with the Adopted Land Use Plan. Property is located in the 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 the surrounding area includes commercial zones 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 general 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 if rezoned to commercial.	
(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 commercial uses currently exist in this area.	

Staff Findings:

Applicant's Purpose

The proposed area is currently classified as "C-4 LUO" neighborhood commercial district with a limited use overlay. The applicant is applying for a rezoning to allow general commercial uses at this location.

Rezoning this property is not 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 23-17 a request to rezone property “C-4 LUO” neighborhood commercial district with a limited use overlay to “C-3 LUO” general commercial district with a limited use overlay; 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 Limited Use Overlay shall prohibit:
 - Adult entertainment

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

Sample Motion:

I move that we place Case: RZ 23-17 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 “C-4 LUO” neighborhood commercial district with a limited use overlay to “C-3 LUO” general commercial district with a limited use overlay will be compatible and suitable with the zoning, uses, and character of the surrounding area.

MAPC RECORD OF PROCEEDINGS: PUBLIC HEARING HELD ON November 14, 2023

RZ-23-17 REZONING: 604 E. Highland Drive

Horizon Land Surveying is requesting a rezoning from C-4 LUO, neighborhood commercial, to C-3 LUO, general commercial with a limited use overlay. This request is for 2.06 acres located at 604 E. Highland Drive.

Kevin Bailey (Chair): Next Item is a rezoning for 604 East Highland Dr. You own it?

Rob Hester (Proponent): Rob Hester with Stonebridge, All Saints Lutheran Church actually asked us to help them and assist them in rezoning and replating this property. They purchased the property I believe from the city a few years back and it was residential. They wanted to have it zoned commercial. They had someone do it. They didn't realize it was actually zoned C-4 LUO. So they've asked us because they're looking at splitting the property, the balance of the property with C-4 the limitations of this of the coverage area. It severely impacts the use of the property. So, they've asked us to bring it to the MAPC to see if we can get it changed to C-3 LUO. At the pre-meeting yesterday, it was requested that we had a few other times on the limited use. So, we reached out to the church today and we added some other items to that as well.

Kevin Bailey: And commissioners you all do have that attachment that was passed out. As you can see that, Derrel comments?

Derrel Smith (City Planner): Yes, sir. We reviewed this, it does meet the requirements for the rezoning and we would recommend approval with the following stipulations:

1. The proposed site plan shall satisfy all requirements of the city engineer, all requirements of the current storm water drainage design manual and floodplain regulations regarding unit of construction.
2. A final site plan subject, 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 limited use overlay shall prohibit entertainment adult, communication tower, funeral home, marijuana dispensary, fright terminal, RV Park, pawn shop, and cemetery.

Kevin Bailey: Again this is a rezoning request, so is there anyone here from the public to give comments on this request? I see none, commissioners any comments or questions? Anyone ready with the motion?

COMMISSION ACTION:

Mr. Dennis Zolper made a motion to approve Case RZ: 23-17, as submitted, to the City Council with the stipulations that were read by the Planning Department:

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 limited use overlay shall prohibit entertainment adult, communication tower, funeral home, marijuana dispensary, fright terminal, RV Park, pawn shop, and cemetery.

The motion was seconded by Mr. Jeff Steiling.

Roll Call Vote:

Aye: 5 – Stephanie Nelson, Jeff Steiling, Jimmy Cooper, Jim Little, & Dennis Zolper

Nay: 0

Absent: 3 – Paul Ford, Monroe Pointer, & Lonnie Roberts
