7. Rezonings

RZ-26-01 **Rezoning: 1306 Charles Dr**

The Applicant Weston Wagner is requesting a rezoning of the property 1306 Charles Dr from R-1 Single Family to RS-7 Single Family Residential

Lonnie Roberts (Chair): Do we have the applicant for this rezoning?
Weston Wagner (Proponent): Weston Wagner, and I own 1306 Charles Drive, I am requesting a rezoning from a R-1 to a RS-7 it is staying residential and I am trying to build two single family homes on this lot. The reason I'm trying to go from R-1 to RS-7 is because my front width is about 104 to 105 foot, which puts me at about a 52 frontage and in R-1, I would need a 60 foot frontage. RS-7 would give me a 50 foot frontage which would allow me to put two homes on this. I have emailed Carol about it and there is a new bill that came out, it's house bill 1503 which allows a secondary and adu on any residential property. So, I can take a property as is, as a R-1 lot and build two structures on it, which would be one house of whatever size I went with. And the other house could be up to 1,000 Sq Ft. So I could build two houses on it right now, one would just be limited square footage and the other one could be any size. But I would like them both to be similar in size roughly around the 1500 sq foot mark.
Lonnie Roberts: Okay, city planner do you have any staff comments to add to this one?
Derrel Smith (City Planner): Yes sir, we have reviewed it and it does meet all 6 of the approval criteria, so we would recommend approval with the following conditions, that the proposed site shall follow all requirements of the city engineer, all requirements of the current stormwater drainage design manual, and floodplain regulations regarding any new construction. 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. Any change of use shall be subject to the planning department approval in the future. And the site shall comply with all requirements of the overlay district.
Lonnie Roberts: Alright, and with this rezoning request is there anyone here with public comments for the rezoning request at 1306 Charles Dr? Hearing none, I'll open up for commissioner comments or questions, for the city staff or applicant.
Dennis Zolper (Commission): Zolper move that we accept the rezoning request with the conditions.
Jim Little (Commission): Little, second.

A motion was made by Dennis Zolper, seconded by Jim Little, that the matter be approved, and the motion was PASSED with the following vote:

Aye (6): Dennis Zolper, Jeff Steiling, Jim Little, Jimmy Cooper, Kevin Bailey, Stephanie Nelson

Nay (0):

Absent (2): Monroe Pointer, Paul Ford

RZ-26-02 **Rezoning: 2620 Alexander Dr**

The Applicant Dustin White is requesting a rezoning of the property 2620 Alexander Dr from R-1 Single Family to C-3 General Commercial District

Lonnie Roberts (Chair): Do we have the proponent for this item?

Dustin White (Proponent): Thank you, Mr. Chairman I am Dustin White. I'm here on behalf of the property owner to speak and support this rezoning request. This rezoning request aligns with the city's adopted long term land use plan. And the direction that the city has already established for this area. There is no specific use being proposed at this time, this request is strictly about zoning alignment. Any future development would still go through the city's normal site plan review and so forth.

Lonnie Roberts: Okay, city planner do you have staff comments on this one?
Derrel Smith (City Planner): Yes sir, we have reviewed it and it does meet all 6 of the approval criteria, so we would recommend approval with the following conditions, that the proposed site shall follow all requirements of the city engineer, all requirements of the current stormwater drainage design manual, and floodplain regulations regarding any new construction. 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. Any change of use shall be subject to the planning department approval in the future. And the site shall comply with all requirements of the overlay district.

Lonnie Roberts: Okay, now with this rezoning request is there anyone here with public comments? If you would come up and state your name for the record.

Sheryl Rogers (Public): My name is Sheryl Rogers, I live at 2815 Wood Street, which on the corner right down from the proposed rezoning property is. I don't know if I'm opposed to it, this says its in use with the projected land use for the city of Jonesboro, that may be I don’t know. But the concern that I would raise and maybe other people would raise who live close to or adjacent to that property and the neighborhood would be the use. So, this is for general commercial use and we have been down this road before with some property across the street from us several years ago. And that property was submitted with a limited use overlay. That was rejected by the city council and it remained residential property. So, at this point in time, I am

speaking for at least the neighbors that I have talked to and who might have a concern with this, is the general commercial property. Also I was looking for today, the city plan for projected use with open spaces and the appearance of people driving, this is a high intensity area because it's right next to I-55, but from people driving through the area and impression they have in the area. So, we would be concerned about what would go there, the type of business that would go there and the appearance of it. Not only for the city but for our neighborhood as well. The commercial property that is already there, looks very nice. And I think that we would be concerned with any projected use as far as what would go there. And how it would impact both the residential area and the appearance of that area. Those are my comments, thank you.

Lonnie Roberts: Thank you for your comments. Is there anyone else who would like to add to those comments? Okay, I'll open up for any commissioners questions.

Dennis Zolper (Commission): Wouldn't it be good to tell the lady that we consider uses in rezoning. Is that something we can take into consideration?

Carol Duncan (City Attorney): You can't ask what the use is going to be, now you could consider a limited use overlay if that was something that was proposed. At that point you can eliminate certain uses, but if you just have a general commercial or C-3, you can't ask what the intent is to use the property for. That 's where the LUO that she was referencing comes in.

Derrel Smith: The property is in the overlay district though, so there is some design standards for commercial properties in the overlay district. It would have to be 80 percent brick, masonry, or stone. It'd have additional landscaping requirements, smaller signage requirements. There will be lighting limitations because it does bump up to the residential area, so that's already in our codes that we can control that.

Dennis Zolper: I think that's good.

Unable to transcribe

Derrel Smith: There's a minimum of 25 feet from commercial to residential.

Lonnie Roberts: Any other questions commissioners? Any other concerns?

Jeff Steiling (Commission): Mr. White, would your owner consider leaving a wooded buffer, like a 30 foot buffer between the property and the residential properties that butt it?

Dustin White: As opposed to the 25 foot?

Jeff Steiling: Yeah, 25 to 30 foot is what I was thinking, and would they consider submitting a limited use overlay that might be more appeasing to the neighbors?

Dustin White: I can't speak for them, I think that they're reasonable folks but ultimately the zoning aligns with what the city's long term use plan is and we're really just trying to get in alignment with that.

Lonnie Roberts: So, Jeff about the barrier, are you saying leave it untouched or, is that something that we can stipulate on a rezoning request?

Jeff Steiling: Yeah, I'm thinking leave it wooded as it is now, a buffer between and maybe it's the 25 foot that's already a requirement but.

Lonnie Roberts: So, can we make that a stipulation?

Derrel Smith: Yes.

Jeff Steiling: Can we stipulate a limited use overlay or do they have to propose that?

Derrel Smith: Unless you're prepared to table it and go back through, I don't think you can make them, that's not what they requested, so I don’t think you can make them do that.

Lonnie Roberts: I mean, he's asking for a general C-3, we can't force him to change it, at this time.

Jeff Steiling: Would you be interested in tabling it and coming back with a limited use overlay?

Dustin White: I don't think so at this time. We don't have a specific use in mind.

Jeff Steiling: I guess that would be more eliminating potential uses, not necessarily choosing a use, but eliminating uses that might make these neighbors feel more at ease.

Dustin White: We're not interested in tabling it for now.

Lonnie Roberts: So, are we making the 25 foot untouched barrier?

Derrel Smith: Along, the residential property.

Lonnie Roberts: Along the residential property, yes. Is that agreeable to you Dustin?

Dustin White: Yeah, sounds good.

Lonnie Roberts: So, add that as a stipulation? Okay. Any other questions from the commissioners? Anyone ready to make a motion?

Dennis Zolper: Make a motion to approve the rezoning with the stipulations.

Lonnie Roberts: I have a motion on the floor, do I hear a second?

Jimmy Cooper: Cooper, second.

A motion was made by Dennis Zolper, seconded by Jimmy Cooper, that the matter be approved, and the motion was PASSED with the following vote:

Aye (4): Dennis Zolper, Jim Little, Jimmy Cooper, Kevin Bailey

Nay (2): Jeff Steiling, Stephanie Nelson

Absent (2): Monroe Pointer, Paul Ford