



City of Jonesboro City Council
Staff Report – RZ 20-17 604 E Highland Drive
Municipal Center - 300 S. Church St.
For Consideration by the City Council on October 20, 2020

REQUEST: To consider a rezoning of one tract of land containing 2.05 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-4” Neighborhood Commercial District Limited Use Overlay.

APPLICANTS/OWNER: **Thomas W. Hayes, Attorney, 111 E Highland Drive, Jonesboro, AR 72401**
Pilgrim Lutheran Church, 1812 Rains Street, Jonesboro, AR 72401

LOCATION: 604 East Highland

SITE DESCRIPTION: **Tract Size:** Approx. 2.05 Acre
Street Frontage: 257 ft. along Rains Street / 337.72 ft. along Highland Drive
Topography: Flat in front and has a slight grade
Existing Development: Vacant Single-Family Dwelling

SURROUNDING CONDITIONS:

ZONE	LAND USE
North	R-1 Single Family Residential District - Church
South	R-1 Single Family Residential District - Vacant
East	R-1 Single Family Residential District - Residence
West	C-4 Neighborhood Commercial District LUO – Bank / Financial Services

HISTORY: Vacant Single-Family Dwelling.

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. A wider mix of land uses is appropriate in the Moderate Intensity Growth Sector. 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

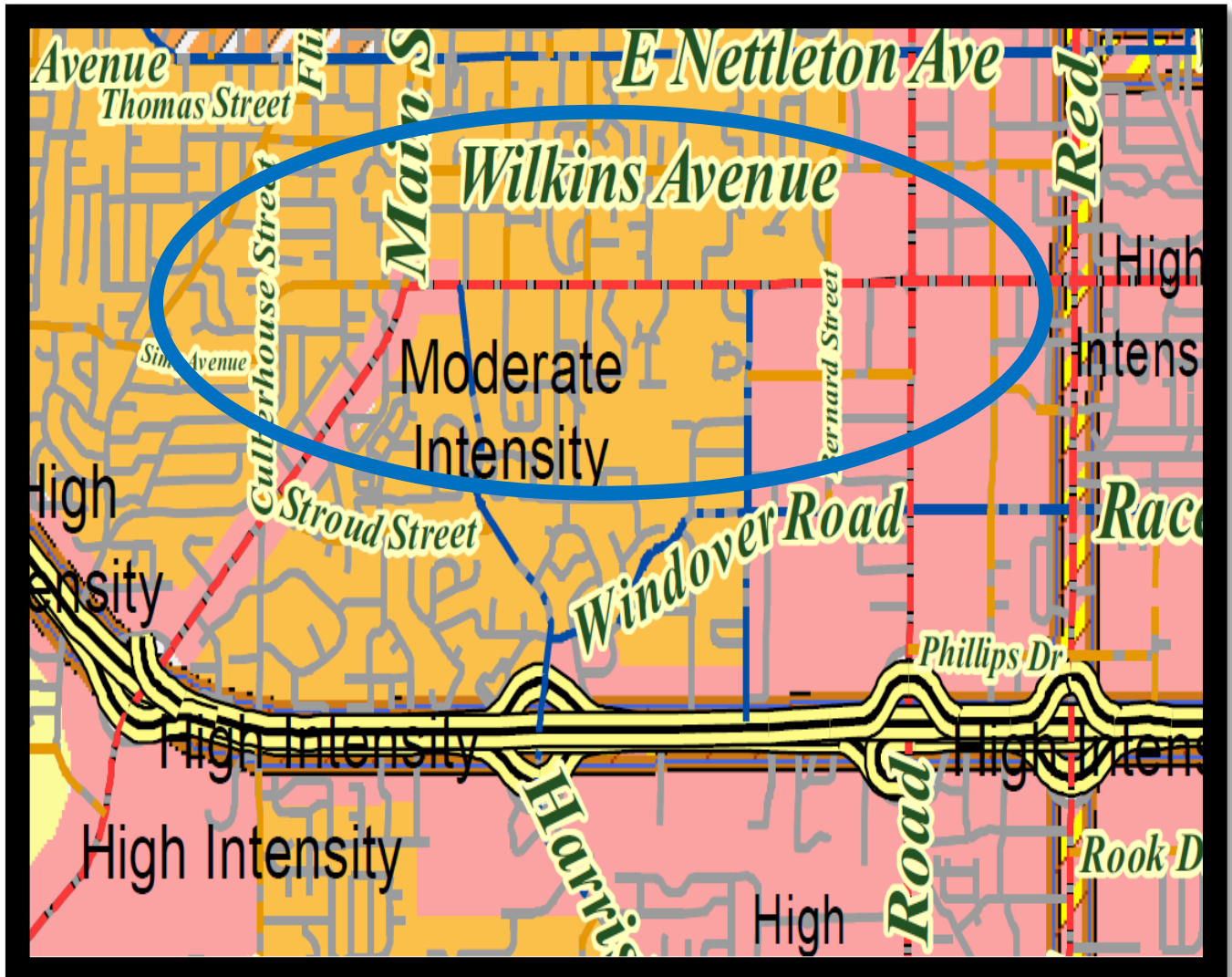


Fig. 11: Example Moderate Intense Type- Retail Service



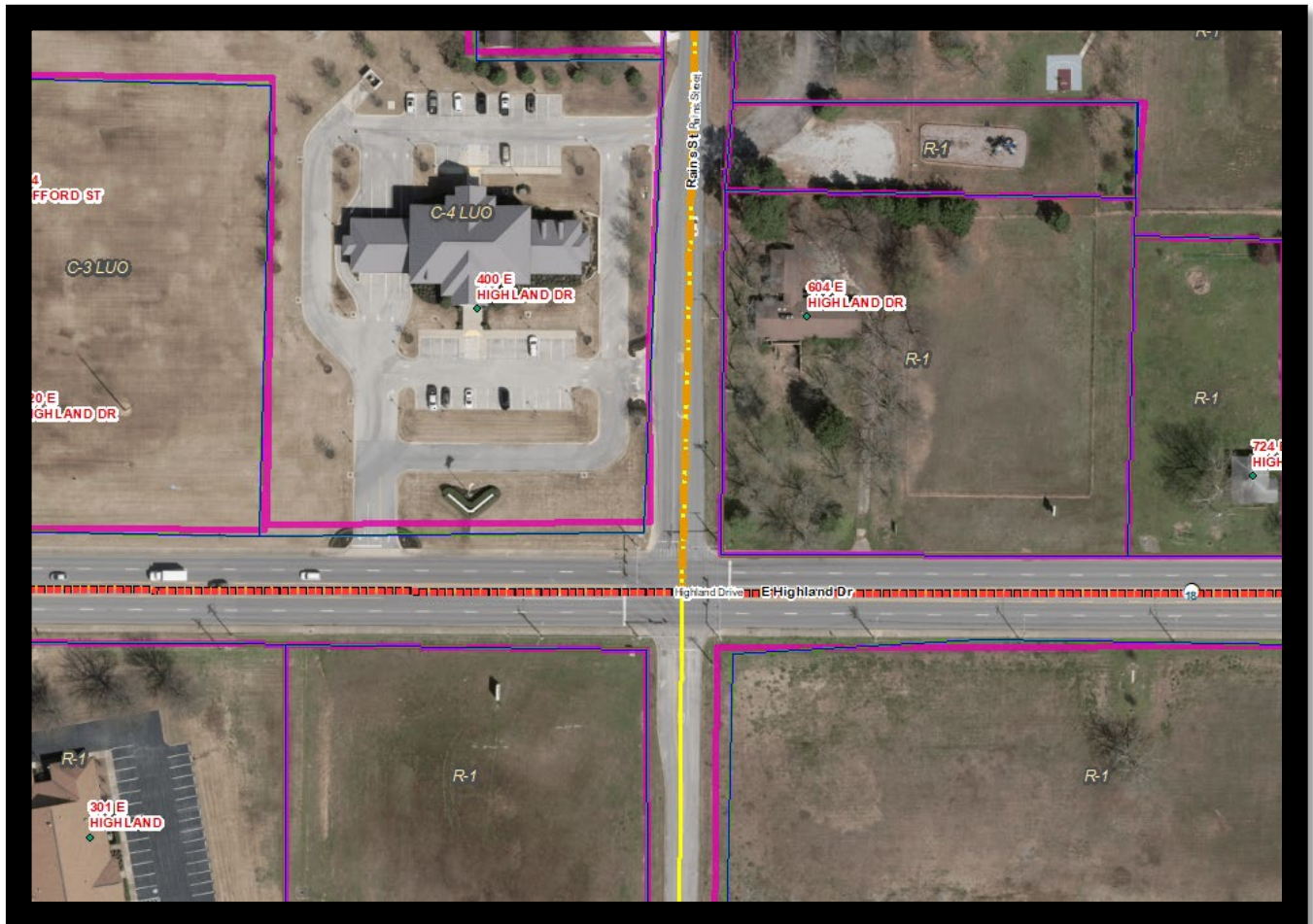
Fig. 12: Moderate Intense Type- Retail/Office

MASTER STREET PLAN/TRANSPORTATION



Land Use Map

Master Street Plan/Transportation

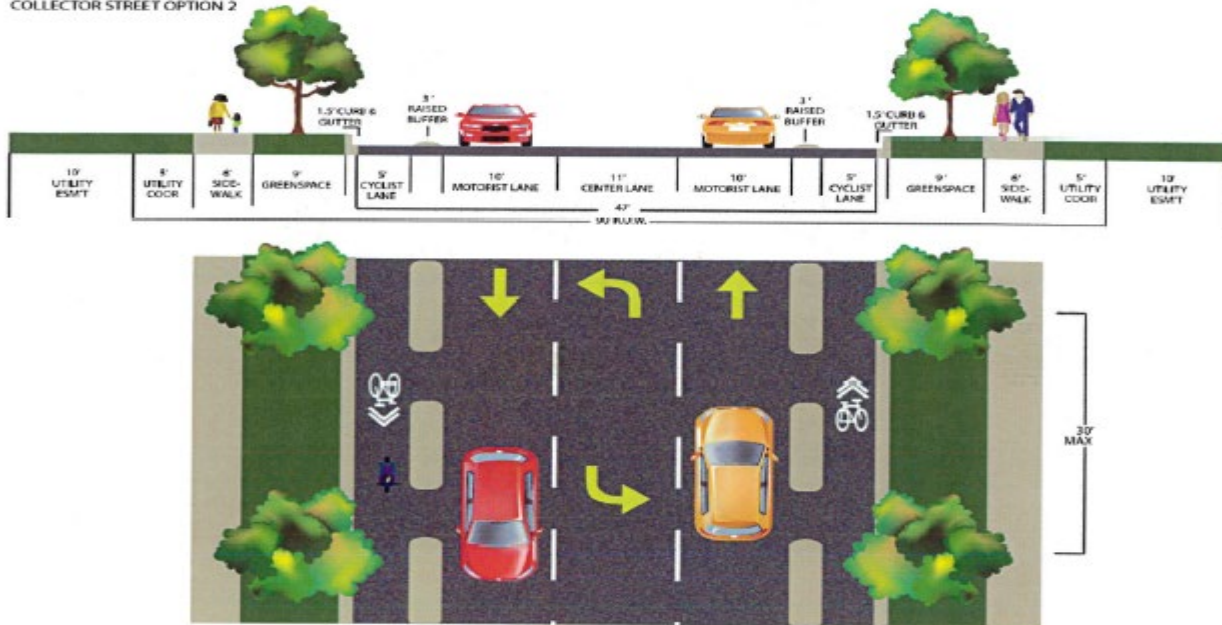


The subject property is served by Rains Street and E. Highland Drive. Rains Street is classified on the Master Street Plan as a Collector Street. Collectors provide for traffic movement between arterials and local streets. The Secondary function of a Collector Street is providing access to adjoining property. They carry moderate traffic volumes over moderate distances and have a higher degree of property access than arterials. 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. Collector streets should be spaced roughly one-half mile from arterials. The Design of the 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.

E. Highland Drive is classified on the Master Street Plan as 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. 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.

OTHER COLLECTOR DESIGN OPTIONS:

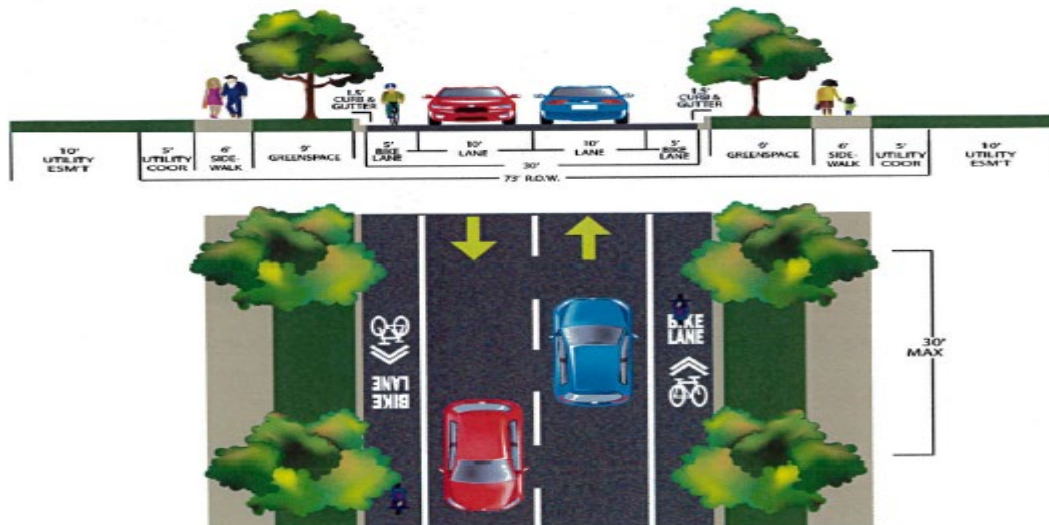
COLLECTOR STREET OPTION 2



Note: Where VPD is $> 3,000$ and speed is ≥ 30 mph, three foot wide raised buffers should be used.

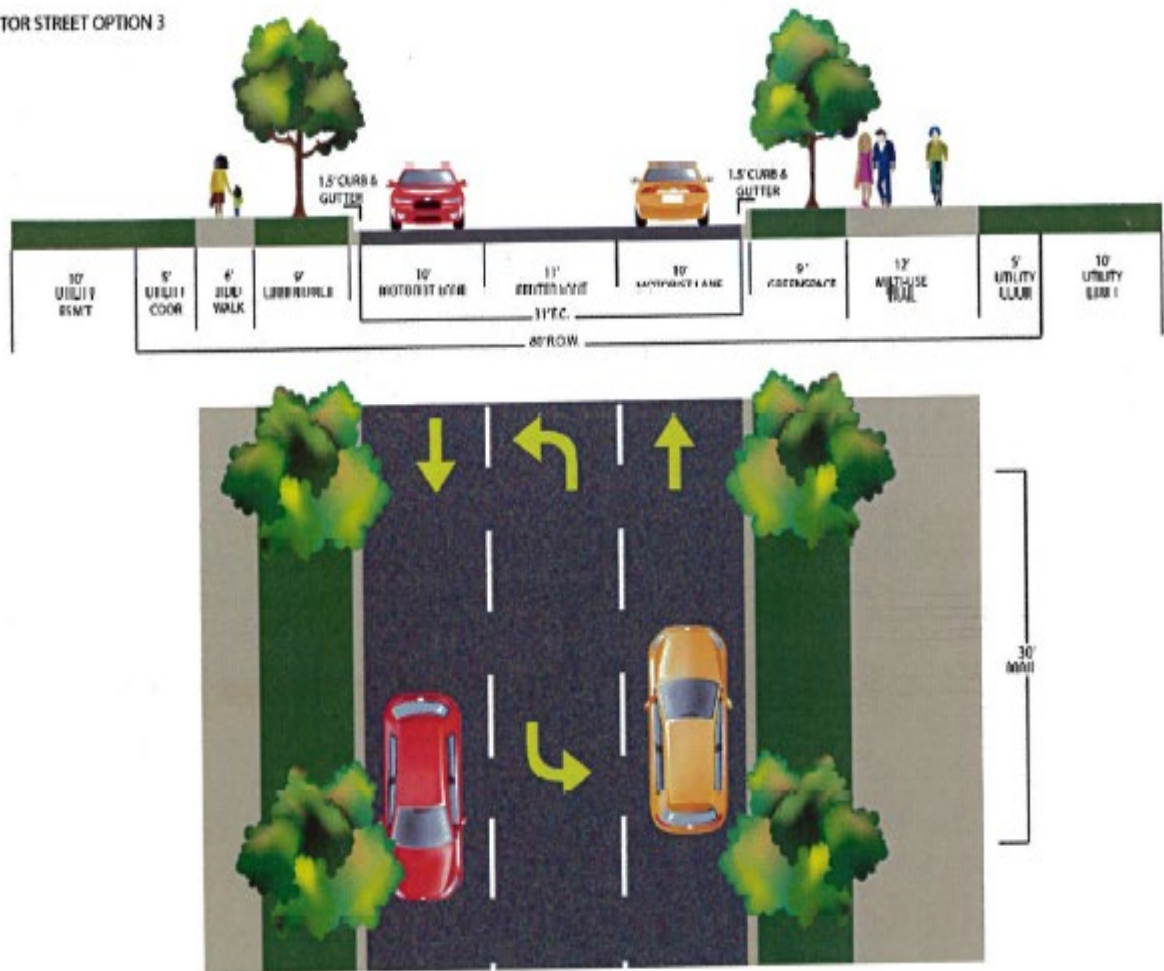
COLLECTOR STREET OPTION 1

VPD $> 3,000$



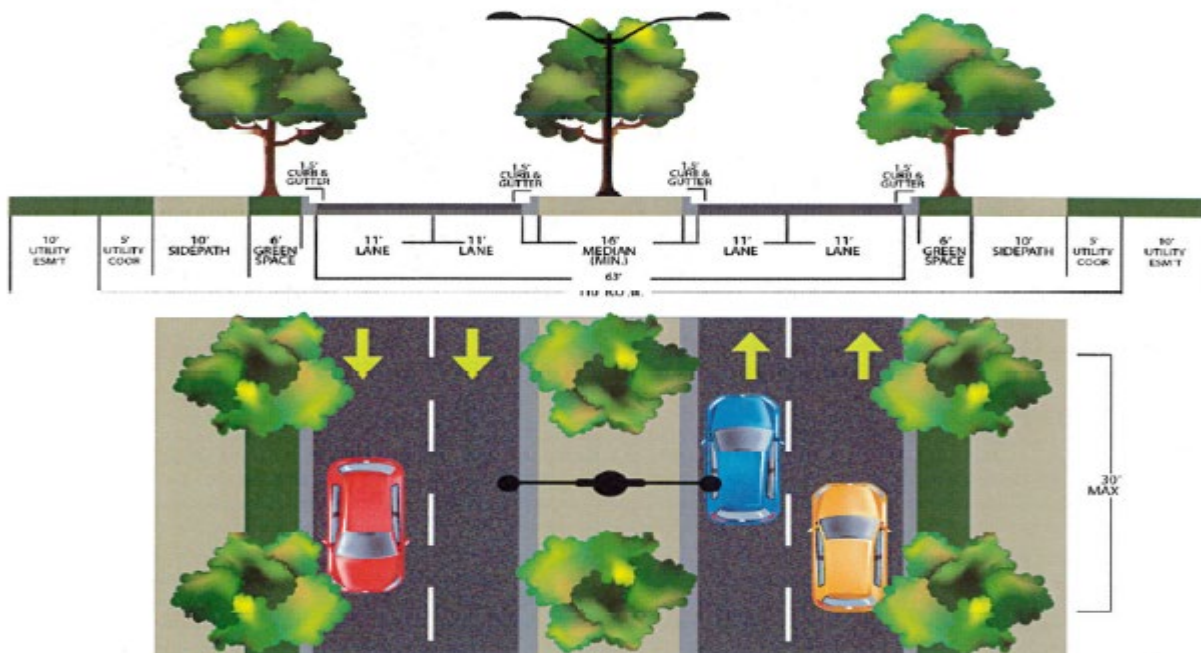
Note: Where VPD is $> 3,000$ and speed is < 30 mph bike lanes may be utilized.

COLLECTOR STREET OPTION 3

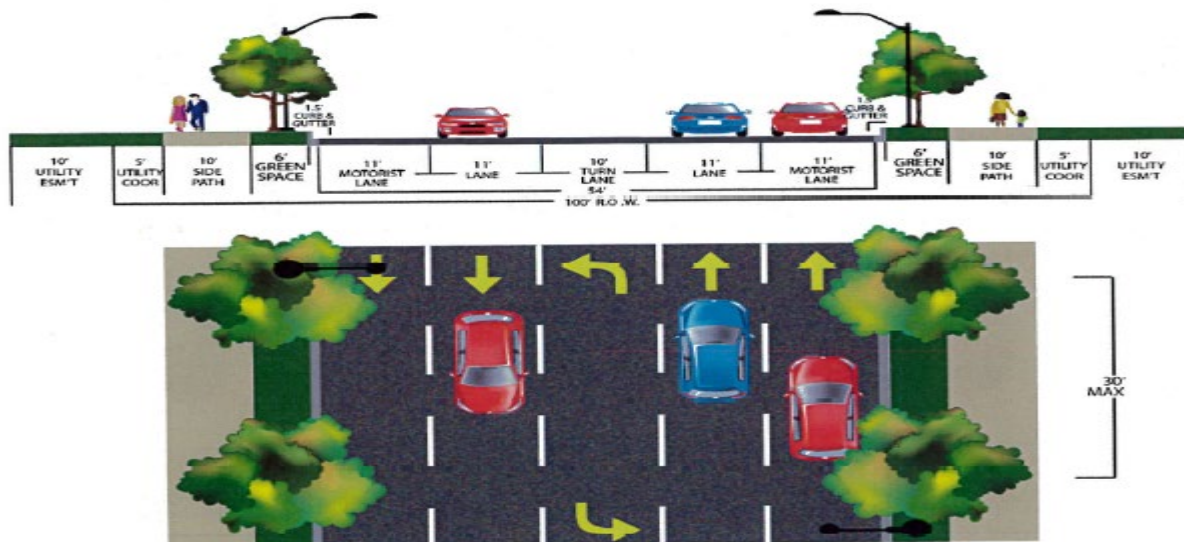


Note: Where VPD is > 3,000 or speed is ≥ 35 mph, utilize multi-use trail..

PRINCIPAL ARTERIAL STREET 1
VPD > 12,000









PRINCIPAL ARTERIAL STREET 2
Existing Routes



OTHER PRINCIPAL ARTERIAL DESIGN OPTION:

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. The Church is wanting to sell the property. The purchaser will determine what will go there from the LUO list.	
(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. The Church has no plans for the property expect to put it up for sale.	
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	Compatibility is achieved with this rezoning considering there is a C-4 LUO Zoning due West of this property with a Bank / Financial Services.	
(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. The property has been vacant for more than three years.	
(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. Commercial, church and single family are surrounding 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 wanting to make best use of the real estate by rezoning the property now to ensure appropriate restrictions are placed on the intended use. The current owner will continue to be a neighbor and wants to ensure that any potential development would not alter the character of the neighborhood.

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-4 Neighborhood Commercial District as follows:

Definition of C-4 Neighborhood Commercial District – This district provides for limited retail trade and services designed to serve adjacent residential neighborhoods, usually of a high or medium density character. Such districts should generally be limited to collector or arterial street locations or other carefully selected areas. Buildings are to be of residential character regarding outward appearance.

Definition of LU-O—Limited Use Overlay District. By providing for flexible use of property development standards tailored to individual projects or specific properties, the LU-O district is intended to ensure compatibility among incompatible or potentially incompatible land uses; ease the transition from one zoning district to another; address sites or land uses with special requirements; and guide development in unusual situations or unique circumstances.

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	

MAPC RECORD OF PROCEEDINGS: PUBLIC HEARING HELD ON OCTOBER 13, 2020

Tom Haynes on behalf of Pilgrim Lutheran Church are requesting MAPC Approval for a Rezoning from “R-1” Single Family Residential District to “C-4” Neighborhood Commercial District Limited Use Overlay for 2.05+/- acres of land located at 604 E Highland Drive.

APPLICANT: Thomas Haynes states he would like to note few things. Since the city obtain some of the property the plans have change. So now we have a home that’s located there and has been vacant for more than a Three Year Period and it is not suitable for residential usage and better suited for commercial zoning. Thomas states it has been very difficult to sell the property since it zone as R-1 because no one is looking to buy it and live there.

COMMISSION: Lonnie Roberts Jr. asked for staff comments.

STAFF: Derrel Smith stated they 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, Flood Plain Regulations and Traffic Access Management Policy regarding any new development.**
- 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 Limited Use Overlay will permit only the following:
Animal Care Limited, Automated Teller Machine, Bank or Financial Institution, Church, Government Service, Medical Service / Office, Museum, Office, General, Post Office, Restaurant, fast food, Restaurant, General, School, Elementary, Middle and High.**

COMMISSION: Lonnie Roberts ask for any public comments. He also stated there’s a letter that came in to be read from Robert and Joy Stewart.

COMMISSION: Lonnie Roberts ask for any Commissioner comments or questions

COMMISSION: Mary Margaret Jackson stated this area is changing to commercial and having a lot of development. It’s a highly residential area so while I understand the church need to sell the land, but I hope in the future you could work with the people interested in buying the land and to save some of those trees.

COMMISSION ACTION:

Mr. Kevin Bailey made a motion to approve Case: RZ: 20-17, as submitted, to the City Council with the stipulations that were read by the Planning Department:

The MAPC find to rezone property from from “R-1” Single Family Residential District to “C-4” Neighborhood Commercial District Limited Use Overlay for 2.05+/- acres of land located at 604 E Highland Drive. Motion was seconded by Mr. Jimmy Cooper.

Roll Call Vote: 6-0, Aye’s: Jerry Reece; Jim Little; Paul Ford; Mary Margaret Jackson; Jimmy Cooper; Dennis Zolper

Absent: David Handwork, Kevin Bailey

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 20-17 a request to rezone property from “R-1” Single Family Residential District to “C-4” 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, Flood Plain Regulations and Traffic Access Management Policy regarding any new development.
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 Limited Use Overlay will permit only the following:
 - a. Animal Care Limited, Automated Teller Machine, Bank or Financial Institution, Church, Government Service, Medical Service / Office, Museum, Office, General, Post Office, Restaurant, fast food, Restaurant, General, School, Elementary, Middle and High.

Respectfully Submitted for City Council consideration,
The Planning and Zoning Department

Sample Motion:

I move that we place Case: RZ 20-17 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 “R-1” Single Family Residential District to “C-4” Neighborhood Commercial District will be compatible and suitable with the zoning, uses, and character of the surrounding area.

PICTURES OF LOCATION

