



City of Jonesboro City Council
Staff Report – RZ 15-05: 3905 Hill Drive
 Municipal Center - 300 S. Church St.
For Consideration by the City Council on April 21, 2015

REQUEST: To consider a rezoning of the land containing 1.55 acres more or less.

PURPOSE: A request to consider recommendation to Council for a rezoning from “R-1” Single Family Residential District to “RM-8” Residential Multi-family/Duplexes, as approved by the MAPC unanimously (See Record of Proceedings).

**APPLICANT/
OWNER:** **Eric Burch**, 4309 Annadale Cr, Jonesboro AR

LOCATION: 3905 Hill Drive, Jonesboro, AR

**SITE
DESCRIPTION:** **Tract Size: 1.55 Acres/67,583.89 sq. ft.**
Street Frontage (feet): 349 ft.
Topography: Primarily Flat Topography
Existing Development: Vacant

SURROUNDING	<u>ZONE</u>	<u>LAND USE</u>
CONDITIONS:	North: R-1	Single Family Residential
	South: R-1/R-2	Single Family/Multifamily Apartments
	East: R-2	Single Family/Multifamily Apartments
	West: R-1	Single Family Residential

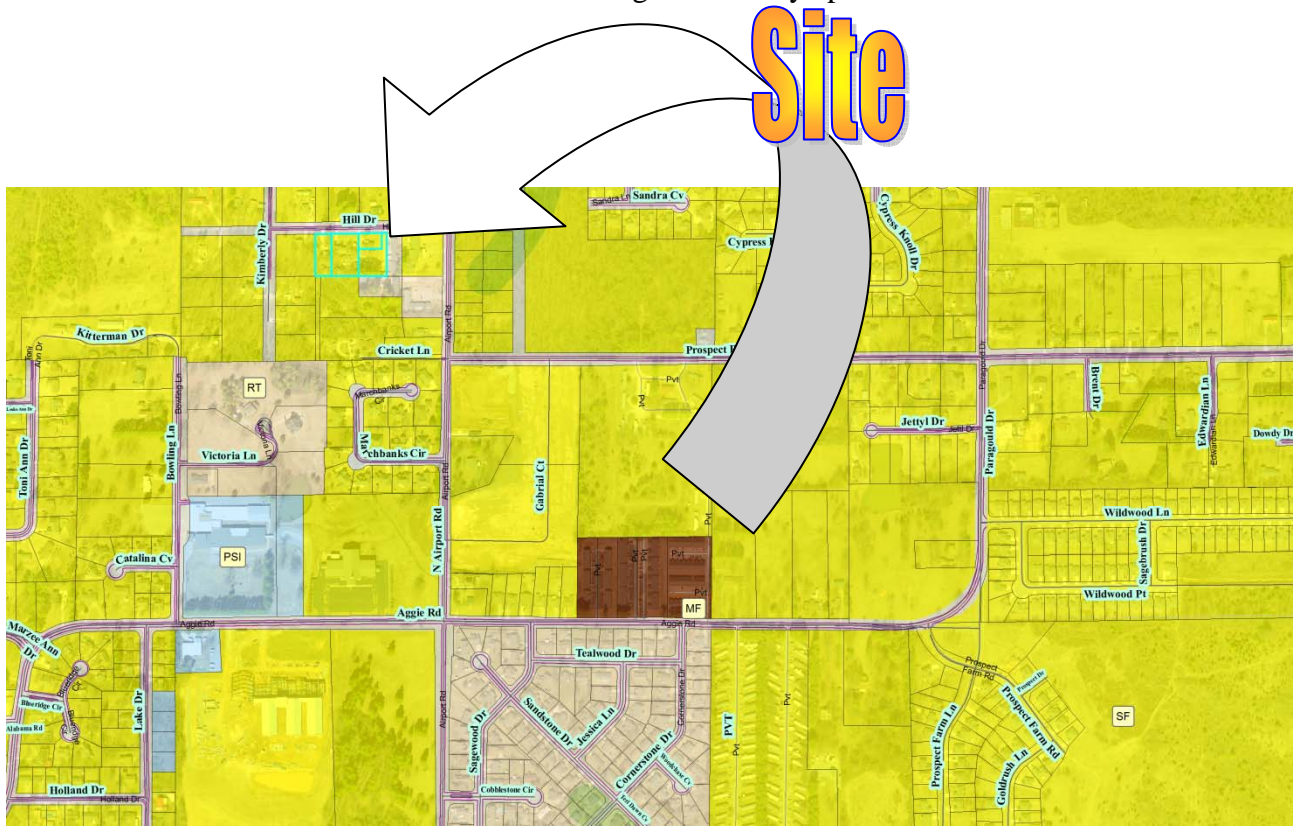
HISTORY: On July 01, 2014, the City Council condemned the property located at 3905 Hill Drive, Manufactured Homes 1 thru 11 and Shed were condemned. Nonconforming use was available until February 1, 2015.

ZONING ANALYSIS

City Planning Staff has reviewed the proposed Zone Change and offers the following findings:

COMPREHENSIVE PLAN FUTURE LAND USE MAP

The Current/Adopted Land Use Map recommends this location as Single Family Low Density. The proposed rezoning, RM-8 while inconsistent, is comparable as lower intensity duplexes, with Residential Transition next door to the east having low density apartment units.










Adopted Future Land Use Map

Master Street Plan/Transportation

The subject property is served by N. Airport Rd. on the Master Street plan. Hill Drive is classified as a local street, requiring a 60 ft. right-of-way.

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 RM-8 Residential Multifamily rezoning is not consistent with the Adopted Land Use Plan; the Land Use Map recommends this location as Single Family Low Density Area.	
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	Consistency would be achieved if rezoned as low density.	
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	Compatibility would be achieved if rezoned as low density.	
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;	Land was used previously as a mobile home park, it is more suitable for low density housing.	
(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;	This site and use should not be a detriment to the area given the fact that the density level is comparable to that of an R-1 Single Family density level.	
(f) Length of time the subject property has remained vacant as zoned, as well as its zoning at the time of purchase by the applicant; and	Property has been vacant since late 2014, after the non-conformancy for Mobile Home Use expired, the property reverted back to Single Family Residential use on February 1, 2015.	
(g) 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 and comparable impact should be realized with the existing R-1 and R-2 Zoning or lower density RM- Multi-family Districts.	



Vicinity/Zoning Map

Staff Findings/Applicant’s Purpose:

The area is zoned R-1 Single Family Residential and R-2 Residential Multi-Family District. The Current Adopted Land Use Plan, shows this area as Single Family Residential Density.

The intensity of this proposed development comprises of *a maximum of 12 units (8 units per acre/1.55 acres), under the proposed RM-8 District*. The applicant notes that the density level of the proposed property would be consistent with the existing area due to adjacent properties being zoned R-2 Residential Multi-Family Districts.

In the application, the owner states the proposed rezoning would have no adverse impact on any adjacent property owners or on the residents of the neighborhood developments in the area. It is also stated that there would be no adverse impact on utilities, streets, drainage or emergency services such as fire, police and medical services, as all services are sufficient to handle the anticipated future development. These findings are based on the comparable levels of intensity with the R-1, noted above.

Chapter 117 Zoning Ordinance Defines RM-8 as follows: Residential Multifamily Classification, RM-8, requires eight units per net acre, includes all forms of units, duplexes, triplexes, quads, and higher.

Residential multifamily classification RM-8 requires:

Lot Width: 70ft. minimum lot width,

Minimum Lot Area: 7,260 sf. per dwelling unit,

Front Setback: 25ft., **Rear Setback:** 20ft., **Side Setback:** 10ft.

The City of Jonesboro Zoning Resolution Minimum Dimension Requirements for the RM, Multi-family Districts is listed below:

Minimum Dimension Requirements for Residential Districts
Bulk Dimensional Requirements

<i>Zoning Classification</i>	<i>Minimum Lot Width (in feet)</i>	<i>Minimum Lot Area</i>	<i>Front Setback (in feet)</i>	<i>Rear Setback (in feet)</i>	<i>Side Setback (in feet)</i>
AG	240	5 acre	30	30	10 each
RS-1	120	43,560 s.f.	40	30	25 each
RS-2	100	21,780 s.f.	35	25	15 each
RS-3	80	14,520 s.f.	30	25	10 each
RS-4	80	10,890 s.f.	25	25	7.5 each
RS-5	70	8,712 s.f.	25	20	7.5 each
RS-6	65	7,260 s.f.	20	20	15 combined (min. 10 on one side)
RS-7	50	6,222 s.f.	20	20	7.5 each
RS-8	50	5,445 s.f.	15	15	7.5 each
R-MH	NS	NS	NS	NS	NS
RM-4	50	10,890 s.f. per dwelling unit	20	15	7.5 each
RM-6	60	7,260 s.f. per dwelling unit	20	15	10.0 each
RM-8	70	5,445 s.f. per dwelling unit	25	20	10.0
RM-12	80	3,630 s.f. per dwelling unit	25	20	15.0

Zoning Code/Density Overview:

As mentioned in project site history, this land has been utilized as a non-conforming mobile home park that unfortunately led to condemnation and neighborhood decline. The City Jonesboro Code Enforcement Department administered the process for condemnation due to unlivable, unsightly and deplorable conditions (see Page 9). The Mobile Home Park was condemned approximately nine (9) months ago by Council in July of 2014. The proposed rezoning offers better housing accommodations and enhances the existing neighborhood by providing a much better residential inventory. Staff feels that the current proposal is an upgrade from the Mobile Home Community, while still remaining fairly low intense.

Landscaping and Screening:

The compatibility standards of this section are intended to protect low density residential uses and neighborhoods from the adverse impacts sometimes associated with high density residential uses and nonresidential development. The standards are intended to mitigate the effects of uses with operating and structural characteristics that are vastly different than those associated with single-family and duplex uses.

Chapter 117 Zoning Ordinances requires all multifamily developments of five unites or more and all commercial development shall be required to provide at least one tree and three five-gallon shrubs per unit within the development. Landscaping required pursuant to this section shall be installed between the property line and the required street setback areas. These requirements, as well as, requirements for parking lot landscaping, dumpster screening, landscape material standards, installation, maintenance and replacement, and alternative compliance shall be met. Prior to approval fencing and landscape buffering

requirements must be adhered to as well, if proposed project meets all of the above, staff recommends project be approved.

Departmental/Agency Reviews:

The following departments and agencies were contacted for review and comments.

Department/Agency	Reports/ Comments	Status
Engineering	No problems with the proposal, MSP is local requiring 60' ROW.	
Streets/Sanitation	Reported not issues with request.	
Police	No issues were reported	
Fire Department	Reviewed and reported no issues.	
MPO	No issues or concerns from a regional perspective.	
Jets	No problems noted.	
Utility Companies	Final plat must reflect existing CWL utilities easements on the subject site.	
Nettleton School District Superintendent	Given notice to review, no comments received to-date	

Limited Use Overlay Districts (L.U.-O.):

Within Chapter 117, Section 117-140, L.U.-O. districts may be applied in combination with any base zoning district. The designation may be requested by an applicant or proposed by the planning commission or city council during their consideration of a rezoning request.

By providing for flexible use of property development standards tailored to individual projects or specific properties, the LU-O district is intended to:

- a. Ensure compatibility among incompatible or potentially incompatible land uses;
- b. Ease the transition from one zoning district to another;
- c. Address sites or land uses with special requirements; and
- d. Guide development in unusual situations or unique circumstances.

When accompanied by a rezoning request from the property owner, the LU-O district can be used to restrict the use and property development standards of an underlying base zoning district, as applied to specific parcels of land. All LU-O requirements are in addition to, and supplement all other applicable standards and requirements of the underlying zoning district. Restrictions and conditions imposed by an LU-O district are limited to the following:

- a. Prohibiting otherwise permitted or conditional uses and accessory uses or making a permitted use a conditional use;
- b. Decreasing the number or density of dwelling units that may be constructed on the site;
- c. Limiting the size of nonresidential buildings that may be placed on a site;
- d. Increasing minimum lot size or lot width;
- e. Increasing minimum yard and setback requirements; and
- f. Restricting access to abutting properties and nearby roads.

To provide for any conditions with any recommendation of approval to Council, Staff suggested that the applicant agrees to a Limited Use Overlay approach to this rezoning, to insure compatibility is achieved and maintained in this situation.

MAPC Record of Proceedings, Public Hearing Held on April 14, 2015

Applicant: Mr. Michael Boggs, Tralan Engineering, appeared on behalf of the applicant/owner Eric Burch, stating the purpose for the request (RM-8), and noting that previously there were 11 mobile homes that were condemned on this property, and also one house on it. They have been removed and we are looking to redevelop this property.

Staff: Mr. Otis Spriggs gave staff comments. The 2011 resolution by council, condemning the mobile home park and dilapidated structures on the property was referenced. He added that photographs are included in the report, illustrating Code Enforcement's coverage of the appearance at that time. The former mobile home park was under a non-conforming use status (R-1 Zoning), of which one year to rebuild/replace was granted; however, they elected not to replace with new mobile homes, and would like the property rezoned to the RM-8 rezoning for low density 12 apartment units/doors maximum (six duplexes or 4 triplexes, for example).

Mr. Spriggs reference the Land Use Plan which recommends single family for the property under the 2010 adopted Land Use Map. Although not consistent with the Land Use Plan, staff points out that the former use of the property and the current adjacency of other apartment units (R-2) to the west, deems the request comparable.

He added that the Master Street Plan recommends Hill Dr. to be a local street, requiring 60' right of way which is depicted on the proposed rezoning plat. If approved the applicant will be held to the requirements of the RM-8 District, once a final site plan is submitted. Staff is recommending that perimeter buffering be implemented where single family residential is to remain.

The various departments reported no major impacts on the general surrounding area, being that the proposed use will not be any more intense than what was previously there, and it would be an improvement to the general area on Hill Drive. The five (5) conditions were read, and Mr. Spriggs noted that CWL reported in the pre-development meeting that the rezoning plat does not reflect utility easements currently existing on site. He suggested adding the condition that: *Prior to any redevelopment, the applicant agrees to file a final plat reflecting existing CWL utilities easements on the subject site.*

Public Comments/Opposition: *None Present.*

Mr. Reece: Noted that he is in total agreement with the situation, but asked what did *higher density mean on the Agenda heading.* Staff pointed out that the phrase reflects the definition of "RM-8" zoning, and typically this district allows only 8 units per acre, which is considered low intense, having four-plex units or lower.

Commission Action:

Motion was made by Mr. Reece to recommend approval of this rezoning, based on the fact that it is an improvement to the area, with the noted 6 conditions, Motion seconded by Mr. Cooper.

Roll Call Vote- 8-0 Approval: Mr. Scurlock- Aye; Mr. Bailey- Aye; Mr. Hoelscher- Aye, Mr. Kelton- Aye; Mr. Perkins- Aye; Mr. Reece- Aye; Mr. Cooper- Aye. **Absent** was Mrs. Shrantz; Mr. Roberts was Chair.

Conclusion:

The MAPC and the Planning Department Staff find that the requested Zone Change submitted for the subject parcel, should be evaluated based on the above observations and criteria listed in Case RZ 15-05, a request to rezone property from “R-1”to“RM-8”, and the request is recommended to City Council for approval with conditions including the following:

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.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC, prior to any redevelopment of the property.
3. The applicant/successors agree to comply with the Master Street Plan recommendation for Hill Dr. upon any future redevelopment of the site.
4. The applicant agrees that screening and buffering shall be provided along the property lines of the property that abuts single family homes.
5. The property shall be redeveloped under the “RM-8”standards and guidelines with a maximum of 12 apartment units.
6. Prior to any redevelopment, the applicant agrees to file a final plat reflecting existing CWL utilities easements on the subject site.

Respectfully Submitted for Council Consideration,



Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



Looking across the street from property.



View looking at property (before trailers were moved).



View looking East from property.



View looking West from property.



View looking at property (trailers removed)



View looking directly across the street from property.



View looking due West at the back of property.



View looking due West at East of property.



View looking Southeast from East side of property.



View looking due East from West side of property.

Previous Mobile Home Park Photos



photo taken: 02/12/2014 - 100_4332.JPG



photo taken: 02/12/2014 - 100_4333.JPG



photo taken: 02/12/2014 - 100_4320.JPG



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