

City of Jonesboro City Council
Staff Report – RZ 13-07: Kagle Huff Rezoning – 4021 Southwest Drive
Huntington Building - 900 W. Monroe
For Consideration by the Council on July 1, 2013

REQUEST: To consider a rezoning of a parcel of land containing 6.63 acres more or less.

PURPOSE: A request to consider a recommendation to Council for a rezoning from R-1 Single Family Residential to PD-M – Mixed Use Planned Development District.

**APPLICANT/
OWNER:** Kagle & Sharon Huff, 2806 Harrisburg Road, Jonesboro, AR 72401

LOCATION: 4021 Southwest Drive, south of Keller’s Chapel Road and north of Ozark Drive

SITE DESCRIPTION: **Tract Size:** 6.63 acres/ 288,603 sq. ft.
Frontage: 300 ft. on Southwest Drive/Hwy. 49
Topography: Slopes range from 3:1 (33%) to 100:1 (1%). Most of site in the 10:1 – 20:1 (10% - 5%) range.
Existing Development: Residence

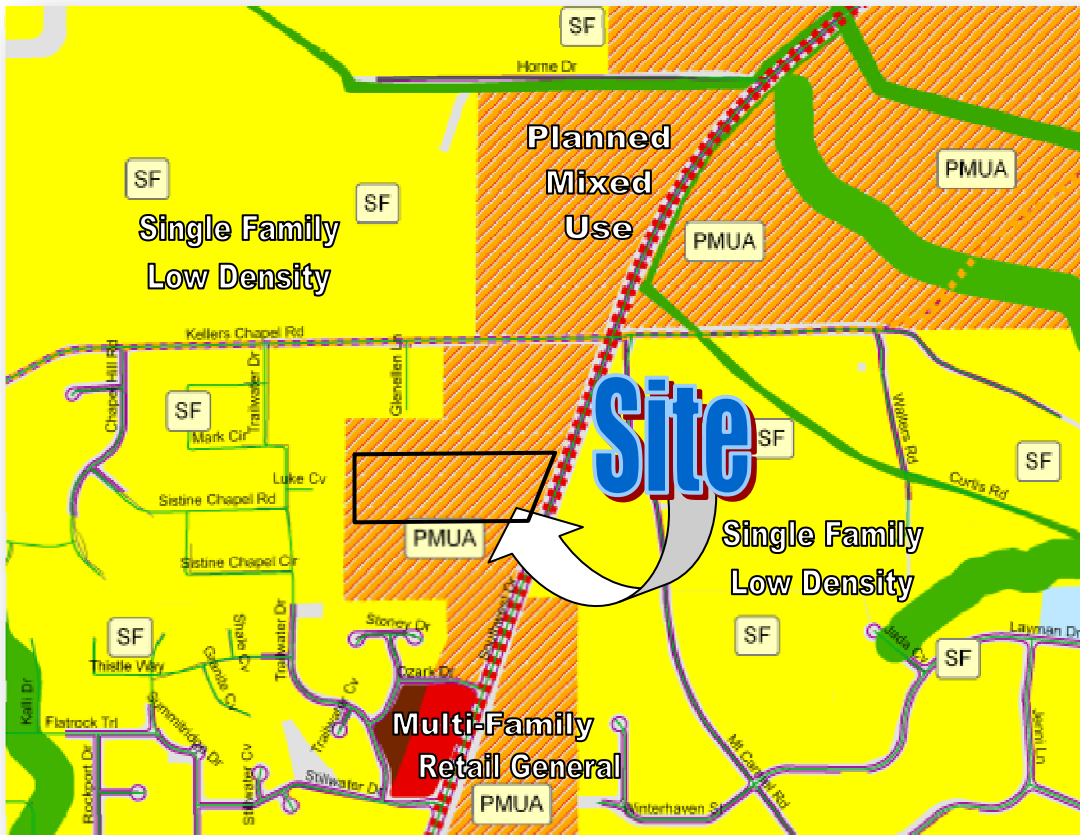
SURROUNDING CONDITIONS:	<u>ZONING</u>	<u>LAND USE</u>
North:	R-1	Residence
South:	R-1 C-3	Unimproved Office Building & Storage Warehouse
East:	R-1 C-3 LUO	Retail Store, Service Repair Garage, Office Building, & Storage Warehouse Unimproved
West:	R-1	Meadow Wood Subdivision
Northwest:	R-1	Unimproved

HISTORY: None.

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

COMPREHENSIVE PLAN FUTURE LAND USE MAP

The Current/Future Land Use Map recommends this location as Planned Mixed Use. The proposed rezoning to PD-M – Mixed Use Planned Development District is consistent with the adopted land use map.



Adopted Land Use Map

Approval Criteria Checklist- Section 117-34- Amendments:

The criteria for approval of a rezoning are set out below. Not all of the criteria must be given equal consideration by the Planning Commission or City Council in reaching a decision. The criteria to be considered shall include, but not be limited to the following list. Staff has reviewed each and offers explanations and findings as listed in the rezoning checklist below:

Criteria	Consistent (Yes or No)	Explanation
(a) Consistency of the proposal with the Comprehensive Plan	Yes. Plan Update is Pending.	See Land Use Section Above.
(b) Consistency of the proposal with the purpose	Yes.	Meets the criteria for a Mixed Use Planned Development

of the zoning ordinance.		District
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area;	Yes.	Commercial, single family residential, and multifamily residential uses currently in the vicinity.
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;	Minimal suitability.	Property would yield a maximum of (31) R-1 lots with a cul-de-sac length variance. However, the narrow site and existing topography are restrictive.
(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;	Minimal detrimental effects.	Ingress/egress at Southwest Drive is a concern Provisions for shared access may be considered with concern to the commercial portion of the development.
(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	N/A	
(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.	With a few exceptions the associated impacts are minimal	Additional multifamily units (duplexes) stretch the limited public safety resources. Common open space, sidewalks, community building, and picnic/gazebo area is proposed.



Vicinity/Zoning Map

Findings:

Master Street Plan/Transportation

The subject site is served by Southwest Drive, which is on the Master Street Plan is defined as a Principle Arterial. The 60 ft. right of way from the highway centerline as shown on the plat satisfies the Master Street Plan recommendation.

Access management is a concern of staff. The applicants/owners should be restricted and prohibited from adding driveways on to Highway 49 S. Access shall be limited to the proposed City Street. Staff also raises a concern for pull-out traffic on the Hwy. 49S. The applicant should consider adding a turn-lane on the new Public Street to eliminate development congestion during busy hours.

Ordinance Compliance Review for Proposed Rezoning to PD-M – Mixed Use Planned Development District:

(8) dwelling units per residential acre is allowed. (5.39) is proposed.
 20% of the total development is required to be open space, 25.5% is proposed.

Building heights:

- (a) Building A – Single family = 15 ft.
- (b) Building B – Single family = 17.5 ft.
- (c) Building C – Duplex = 17 ft.

The minimum requirement of (2) parking spaces per unit is exceeded. (29) residential units and (1) community building requires (30) trees and (90) shrubs. (20) trees and (209) shrubs are proposed. The (20) trees are proposed to be the same species. For each quantity of (10) trees, a differing species is required to be used. Staff is satisfied with the landscape proposal.

The list of permitted uses is proposed in the form of exclusions. “Exclusions include sexually explicit businesses, shops that specialize in tobacco and/or liquor sales, any establishment that minors shouldn’t be subjected to, and any development that the property owners association shall deem unfit.”

The applicants were afforded Conceptual Review for the Planned Development District in the May MAPC meeting. Concerns over the proposed cul-de-sac access has been noted. The applicant has proposed the placement of the commercial businesses in the front and residential in the rear. The developer hopes to market the development towards accessibility to serve the elderly community.

The residential street is designed as a private drive within the Planned Unit Development; while the commercial development is accessed off a proposed public street. The applicant is requesting approval for 11 SF homes and 9 duplexes intermixed with common space areas. The homes will have garages and the duplexes will have carports. A community building has been proposed adjacent to the Commercial uses and a park/gazebo area at very end of the private drive.

The developer has proposed sidewalks within the development.

Other Departmental/Agency Reviews:

Department/Agency	Reports/ Comments	Status
Engineering	Received	Voiced concerns over future connectivity.
Streets/Sanitation	Received	Noted no objection
Police	Received	Opposed the rezoning of the property as it applies to the multi-family units (Duplexes). The location of this additional housing will flow traffic onto an area of SW Drive that is currently one of the most congested & dangerous regions of our traffic systems. The additional housing also stretches limited public safety resources and until such a plan is adopted to address increased demand on public safety resources, concern is submitted.
Fire Department	Received	Noted no objection
MPO	Received	Voiced concerns over future connectivity. A separate connection to future or planned roadways should be provided.
Jets	Received	Noted no objection
Utility Companies	Received- CWL	Noted no objection

MAPC RECORD OF PROCEEDINGS: Hearing held on June 11, 2013:

Applicant: Josh Hurd, Project Manager for McAlister Engineering and Mr. Hardy Little, Architect presented the case before the Commission.

Staff:

Mr. Spriggs gave Staff Summary comments outlined in the report. This is a Planned District Development for a mixed use petition that was presented to the MAPC as a conceptual review previously. There is a mixture of single family, inclusion of duplexes and commercial to be situated on Highway 49 South.

Consistency is achieved with the adopted Land Use Plan as Planned Mixed Use Area. The Master Street Plan requirements are satisfied. Mr. Spriggs noted comments received from the Police Chief Yates opposing the rezoning of the property as it applies to the multi-family units (Duplexes). Chief Yates noted that the location of this additional housing will flow traffic onto an area of Southwest Drive that is currently one of the most congested & dangerous regions of our traffic systems. The additional housing also stretches limited public safety resources and until such a plan is adopted to address increased demand for public safety resources, concern is submitted. There were no further submitted objections by the other City departments or utility agencies on this proposal.

Mr. Spriggs noted the concerns of staff as it relates to access management. This was originally discussed during the conceptual review state. Mr. Spriggs noted that Staff recommends that the applicant consider restricting access directly on and off of Southwest Drive, but limit access to the City right of way/ public street proposed. This is noted on the plat. Consideration for a turn lane out of the development should be studied. The MPO office submitted comments noting concerns over future connectivity. A separate connection to future or planned roadways should be provided. This was also discussed during the conceptual review. Mr. Hurd stated that the subdivision to the west is already developed and cuts off that possibility. Mr. Spriggs stated that the standards for the units in terms of parking and building setback requirements are listed in the report and should be addressed during the Site Plan approval process. The conditions were read and Mr. Spriggs asked the applicants if they concurred; Mr. Hurd replied yes.

Staff has no other issues with the proposal, and is recommending approval subject to MAPC review of a final Site Plan in the future. Mr. Spriggs also recommended that the applicant considers a cross access agreement with the neighbor to the south to alleviate a bad intersection.

Public Input: None Present.

Commission Action:

Motion was made by Mr. Scurlock that Case: RZ-13-07 on the floor for consideration of the recommendation by MAPC to the City Council for the rezoning of this property from "R-1 Single Family Residential to PD-M - Mixed Use Planned Development District", with the staff conditions. MAPC finds that the use will be compatible and suitable with the zoning, uses and character of the surrounding area. Motion was seconded by Ms. Kim Schantz.

Roll Call Vote: Motion passed with a 6-0 vote recommending approval.

Mr. Dover- Aye; Ms. Nix- Aye; Mrs. Shrantz-Aye; Mr. Reece- Aye; Mr. Tomlinson- Aye; Mr. Scurlock- Aye; Mr. Lonnie Roberts- Chair; Absent were Mr. Kelton, Mr. Hoelscher.

Conclusion:

The MAPC and the Planning Department Staff find that the requested Zone Change submitted by Kagle and Sharon Huff should be evaluated based on the above observations and criteria, of Case RZ 13-07 noted above, a request to rezone property from “R-1 Single Family Residential to PD-M – Mixed Use Planned Development District”. The following conditions should be applied:

1. That the proposed development shall satisfy all requirements of the City Engineer, satisfying all requirements of the current Stormwater Drainage Design Manual.
2. That a “Final Development Plan” be submitted and reviewed by the MAPC prior to any future development of the proposed site. Final Landscaping and signage plans shall be submitted.
3. The applicant shall submit a copy of the Bill of Assurances for the Planning Department files/records before final occupancy assuring that common areas shall be maintained by the property owner’s association or owners/assignees.
4. The maximum allowed units shall not exceed 11- Single family homes and 9- duplex buildings.
5. The following list of uses shall be excluded: sexually explicit businesses, shops that specialize in tobacco and/or liquor sales.
6. The gated entrance to the residential development shall be equipped with a Knox box in conformance with the City of Jonesboro Fire Department and E911 division.
7. The applicants/owners should be restricted and prohibited from adding driveways on to Highway 49 S. Access shall be limited to the proposed City Street.
8. Applicant/owners agree to the dedication of required right of way for Hwy. 49 in satisfaction of the Master Street Plan. A final plat depicting such shall be submitted and recorded.
9. Shared or cross/access agreements should be considered at site plan approval for any abutting commercial to the north of south of the development.

Respectfully Submitted for Council Consideration,



Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



Existing residence on site.



View from eastern portion of site looking west.



View from western portion of site looking east.



View of southern property boundary looking east.



View of northern property boundary looking east.



R-1 property located east of site. Jack's Treasures Flea Market, The Treasure Hunt Flea Market, and a body shop to the rear.



Undeveloped C-3 LUO property located east of site.



Residence on adjoining R-1 property located north of site.



Outbuildings located behind residence on adjoining R-1 property located north of site.



View looking west toward Meadow Wood Subdivision located west of site.



Western property boundary of site from Meadow Wood Subdivision located west of site.



Adjoining C-3 property located south of site. NEA Batteries and McKisson Rentals.