

City of Jonesboro City Council
Staff Report – RZ 16-23: 1007/1103 Commerce Drive
 Municipal Center - 300 S. Church St.
For Consideration by the City Council on Tuesday, October 4, 2016

REQUEST: To consider a rezoning of one tract of land containing 2.98 acres more or less.

PURPOSE: A request to consider a rezoning of 2.98 acres of land located at 1007/1103 Commerce Drive, from R-2 Multi-Family Residential District to RM-12 Residential Multi-family Classification allowing for 12 units per gross acre.

**APPLICANTS/
OWNER:** Debbie Veteto, 1103 Commerce Drive, Jonesboro, AR 72401

LOCATION: 1007/1103 Commerce Drive, Jonesboro, AR 72401

**SITE
DESCRIPTION:** **Tract Size:** Approx. 2.98 Acres
Street Frontage: 300 feet along Commerce Drive
Topography: Flat.
Existing Development: Single family housing

SURROUNDING CONDITIONS:

ZONE	LAND USE
North	R-2 Single Family Housing
South	AG-1 Undeveloped
East	R-2 Single Family Housing
West	R-1 Single Family Residential Housing

HISTORY: Two single family houses in good condition.

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.

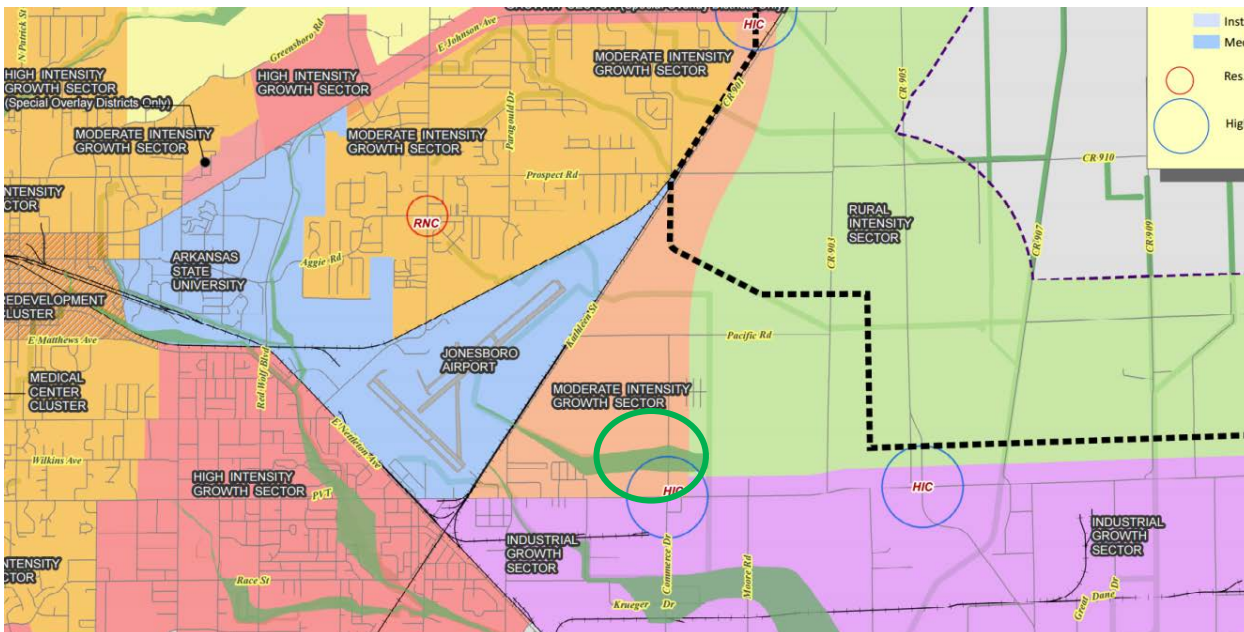
Moderate Intensity Growth Recommended Use Types Include:

- Single Family Residential
- Attached Single Family Residential, 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

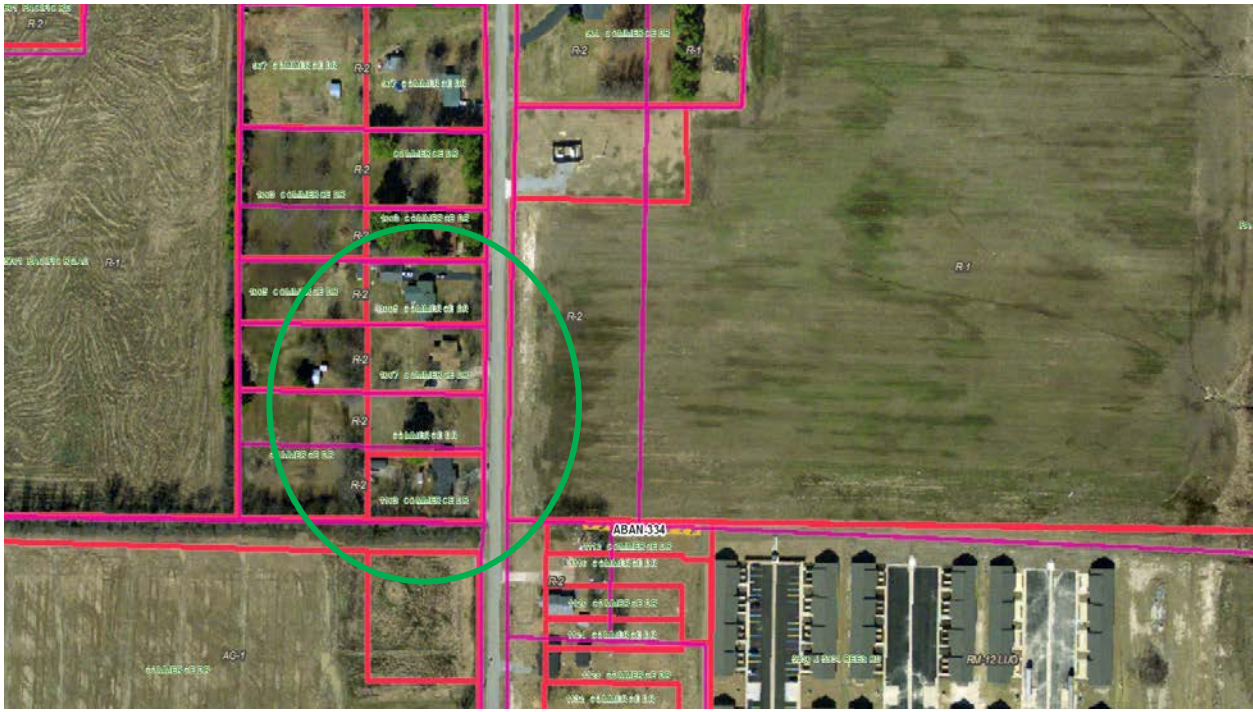
Note: The density for residential development in this sector is “no more than 8 Dwelling Units per acre for Multi-Family.”

Master Street Plan/Transportation

The subject site is served by Commerce Drive, which on the Master Street Plan is defined as a Principal Arterial; the street right-of-ways must adhere to the Master Street Plan.



Adopted Land Use Map










Aerial/Zoning Map



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-12 rezoning is not consistent with the Future Land Use Plan, which was categorized as a Moderate Intensity Growth Sector - which recommends up to 8 units per acre on multi-family.	
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	The proposal will achieve consistency with the purpose of Chapter 117.	
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	Compatibility is achieved. Although the property is surrounded by single-family housing, the R-2 zonings surrounding the property would allow for multi-family.	
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment.	Property is suitable for multifamily development.	
(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 if controls are implemented to screen and buffer any environmentally sensitive surrounding uses.	
(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.	These properties have single family residential houses on them.	
(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 impact if rezoned if controls are implemented to screen and buffer any environmentally sensitive surrounding uses.	

Staff Findings:

Applicant’s Purpose:

The applicant feels like a rezoning would allow for a more attractive development and limit the number of access points to Commerce Drive. She also feels like the R-2 and RM-12 zoning districts allow for the same maximum density per acre. If the rezoning is approved the property would be developed within the RM-12 guidelines. This development would consist of 36 multi-family units. The rezoning would allow for more control over the property and provide additional affordable housing.

Chapter 117 of the City Code of Ordinances/Zoning defines Commercial District as follows:

RM-12 Residential Multifamily Classification. The purpose of this classification is to provide appropriate locations for multifamily residential units. The district allows for all forms of units, duplexes, triplexes, quads, and higher.

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 objections to this rezoning to date.	
Streets/Sanitation	No objections to this rezoning to date.	
Police	No objections to this rezoning to date.	
Fire Department	No objections to this rezoning to date.	
MPO	No objections to this rezoning to date.	
Jets	No objections to this rezoning to date.	
Utility Companies	No objections to this rezoning to date.	

Zoning Code Allowable Uses:

Below is the Table of Permitted Uses regarding the requested RM-12 Multifamily Residential District. Certain commercial uses are permitted as of right - “P”, while others require a Conditional Use - “C” approval by the MAPC, or not permitted where blank:

Uses	RM-12	Uses	RM-12
Single Family, Detached		Golf course	P
Single-Family, Attached	P	Government service	P
Duplex, triplex, fourplex	P	Hospital	P
Emergency Housing Unit		Library	P
Multifamily	P	Medical Services	C
Manufactured Housing Unit	P	Museum	C
Manufactured Housing Unit – Residential Design	P	Nursing Home	C
Manufactured Housing Park		Parks and recreation	P
Group Residential	P	Post office	
Accessory Dwelling Unit		Recreation/Entertainment, indoor	
Airport or airstrip		Recreation/entertainment, outdoor	
Animal care, general		Safety Services	P
Animal care, limited		School, elementary, middle and high	P
Automated Teller Machine	C	Utility Major	C
Bed and breakfast	C	Utility Minor	P
Cemetery	C	Agriculture, animal	
Church	C	Agriculture, crop	
College or university	P	Agriculture, product sales	
Communication Tower	C		
Convenience Store	C		
Day care, limited(family home)	P		
Day care, general	C		

RZ 16-23: 1007 AND 1103 COMMERCE DRIVE

APPLICANT: Mr. Michael Boggs requested a rezoning for 1007 and 1103 Commerce Drive. They want to rezone the property from R-2 to RM-12. Mr. Boggs explained the R-2 zoning already allows them to build multifamily development on the lot. The reason for the rezoning request is to allow the builders to do an enhanced development for the area.

STAFF: Mr. Derrel Smith presented staff comments. He explained the request did meet rezoning criteria. He recommended the rezoning be approved but Planning did attach stipulations to the request.

APPLICANT: Mr. Boggs agreed to the stipulations presented by Mr. Smith.

There was opposition to this request.

PUBLIC: Mr. Larry McElroy said he lives next door to the property. He said this request will do nothing but hurt his property value. He went on to say this is the third quest for multifamily for rezoning in the area. He feels like the reason for this is because this is the only area on Commerce Drive that has city utilities.

PUBLIC: Ms. McElroy was in opposition to this request. She presented the Committee with a picture showing how close the apartments would be to their property fence.

COMMISSION: The Chair asked Mr. Boggs the current zoning.

APPLICANT: Mr. Boggs explained the current zoning was R-2 and already allowed for multifamily to be built. The rezoning would just allow the developer to make the development better for the surrounding community.

ENGINEERING: Mr. Michael Morris said that Commerce Drive was one of the projects that was to be funded by a tax that was voted on earlier this year. That tax did not pass.

COMMISSION: Mr. Scurlock asked Mr. Boggs about their plans for screening with this development.

APPLICANT: Mr. Boggs said there would be a privacy fence and landscaping that would go along with that.

MAPC RECORD OF PROCEEDINGS: MAPC MEETING HELD ON NOVEMBER 8, 2016

RZ 16-23: 1007 AND 1103 COMMERCE DRIVE

ATTORNEY: Ms. Carol Duncan explained this rezoning request to the MAPC. She told the Commission this was only coming back to the MAPC to verify the zoning application was completed when they first reviewed and approved for it to be sent to City Council. She went on to explain that someone at the City Council meeting thought the application was turned in incomplete. Shortly after the meeting this was found to be incorrect but the City Council had already recommended the rezoning be set back to MAPC. The Commission is reviewing this rezoning to verify if the application is complete.

COMMISSION: Mr. Kelton said the answers to the questions were found on page 3. This was a completed application when they approved it and set the request on to City Council for their consideration from R-2 Multi-Family Residential District to RM-12 Multifamily Residential District subject to final site plan 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 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 MAPC, prior to any redevelopment of the property.
3. Any change of use shall be subject to Planning Commission approval in the future.
4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering etc. shall be submitted to the MAPC prior to any redevelopment. New screening outdoor storage and dumpster enclosure requirements shall be implemented if stipulated by the MAPC.

Conclusion:

The Planning Department Staff finds that the requested Zoning Change submitted for subject parcel, should be approved based on the above observations and criteria of Case RZ 16-23, a request to rezone property from R-2 Multi-Family Residential District to RM-12 Multifamily Residential District subject to final site plan approval by the MAPC.

5. 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 regarding any new construction.
6. 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.
7. Any change of use shall be subject to Planning Commission approval in the future.
8. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering etc. shall be submitted to the MAPC prior to any redevelopment. New screening outdoor storage and dumpster enclosure requirements shall be implemented if stipulated by the MAPC.

Respectfully Submitted for City Council Consideration,
The Planning Department
City of Jonesboro, Arkansas

Site Photographs



View looking North



View looking South



View looking East



View looking West