



*City of Jonesboro City Council
 Staff Report – RZ 14-10: 5304 Apt Drive
 Municipal Center – 300 S. Church St.
 For Consideration by the Council on September 2, 2014*

REQUEST: To consider a rezoning of a parcel of property containing approximately 1.0 acres more or less from R-1 Single Family to RM-8, L.U.O. Low Density Multi-Family as recommended to City Council by the MAPC.

PURPOSE: A request to consider an approval by the Metropolitan Area Planning Commission as recommended to City Council for final action as RM-8, L.U.O. to add one additional Tri-plex.

APPLICANT/ OWNER: Lindel Turner, 5532 Kersey Lane, Jonesboro, AR 72404

LOCATION: 5304 Apt. Drive, Jonesboro, AR.
 (East side of street between Stadium Blvd & Frog Pond)

SITE DESCRIPTION:

Tract Size:	Approx. 1.0 acres
Frontage:	Approx. 167.46 ft
Topography:	Predominantly Flat, Gently Sloping
Existing Dvlpmt:	Vacant

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
North:	R-1	Farming
South:	RM-8	Rental
East:	R-1	Non-Conforming Use- Storm-works Business
West:	R-1	Residential & Vacant

HISTORY: Non-Conforming Use; Applicant replaced an existing triplex on the property in 2009.

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

Approval Criteria- 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:

- (a) Consistency of the proposal with the Comprehensive Plan
- (b) Consistency of the proposal with the purpose of the zoning ordinance.
- (c) Compatibility of the proposal with the zoning, uses and character of the surrounding area;
- (d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;
- (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;
- (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
- (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.

COMPREHENSIVE PLAN FUTURE LAND USE MAP

The Future Land Use Map adopted on January 5, 2010 shows this area to be recommended as Single Family Residential District Area.

This planning area although highlighted as single family consists of other uses such as commercial and low density multi-family. There are apartment complexes within the vicinity of the proposed site. Just south of the site is a property that was rezoned to RM-8 LUO and there is also other grandfathered/non-conforming multi-family uses to the south that originated through annexation.



Zoning/Vicinity Map

Master Street Plan:

The proposed rezoning site is located along Apt Drive which is listed as a local road on the Master Street Plan. The existing 60'+/- right of way set back from centerline exceeds the recommended right of way width.

Findings:

The proposed rezoning will result in existing R-1 Residential zoned property to be zoned to RM-8, L.U.O. . The existing 1.0 acre site will remain low density with the addition of the proposed tri-plex building.

With the abutting similar uses (now non-conforming uses) now utilized as apartments Staff feels that this request is compatible with the area and will not cause any adverse impact.

MAPC RECORD of PROCEEDINGS: Public Hearing Held on July 8, 2014

Applicant: Carlos Wood, Engineer on behalf of Lynn Turner appeared before the Commission. He stated that on Lots 1 & 2 they hope to add a triplex on the other portion of the property to supplement the existing triplex and single family, to yield a total of 7 units maximum.

Staff: Mr. Spriggs gave a report of the staff findings, noting that the petition is not consistent with the Future Land Use Plan (Single Family Residential). He noted that the area has a number of duplex units some of which were grandfathered prior to annexation. The owner will be asked to comply with the Master Street Plan upon future redevelopment or platting of the said acreage.

Surrounding conditions were described which are consistent with the request. All of the criterions for rezonings are met. The property is considered Non-conforming. Applicant replaced an existing triplex on the property in 2009. There was similar rezoning a few years back just of this property. Nonconforming business exists to the west of the site.

No issues were reported by other Staff Departments or outside agencies. The 4 conditions were read. No comments were made from Engineering.

Public Input: None Present

MAPC Deliberation:

Motion was made by Mr. Scurlock to recommend approval to Council with the noted stipulations; Motion was 2nd by Mr. Perkins.

Roll Call Vote: 7-0 unanimously to approve.

Mr. Kelton- Aye; Mr. Mr. Hoelscher-Aye; Mr. Scurlock-Aye; Mr. Perkins- Aye; Ms. Schrantz-Aye; Mr. Reece: Aye; Mr. Bailey-Aye. Ms. Nix was absent. Mr. Roberts was chair.

Conclusion:

The MAPC and the Planning Department Staff find that the requested Zone Change submitted by Lyndel Turner should be evaluated based on the above observations and criteria, of Case RZ14-10, a request to rezone property from R-1 & to **RM-8 L.U.O.**, seven (7) units maximum, and is hereby recommended to the City Council for approval subject to the following stipulations:

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 prior to any issuance of Certificate of Occupancy of new uses, all requirements stipulated by all City, state and local agencies shall be satisfied.
3. That a future site development plan be submitted and reviewed by the MAPC prior to any future redevelopment of the 1.0 acre.
4. Further subdividing of the parcel shall be prohibited and the density shall remain at 7 units.

Respectfully Submitted for Council Consideration,



Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



View looking northeast toward subject property from southwest corner of property.



View looking southeast toward subject property from northwest corner of property.



View looking southeast toward property located south of subject property.



View looking southwest toward property located west of subject property.



View looking northeast toward property located north of subject property.