

*City of Jonesboro City Council*  
**Staff Report – RZ 18-0: 415 E. Oak**  
Municipal Center - 300 S. Church St.  
*For Consideration by the Council on May 1, 2018*

**REQUEST:** To consider a rezoning of one tract of land containing 1.10 acres more or less.

**PURPOSE:** A request to consider recommendation to Council by the MAPC for a rezoning from “R-2” Multi-Family Low Density District to “C-1” Downtown Core District, Limited Use Overlay with Residential Only with No Commercial.

**APPLICANTS/  
OWNER:** Math Investments, 230 S. Main, Jonesboro, AR 72401  
Ted Herget

**LOCATION:** 415 E. Oak, Citizen / E. Cherry – Cobb / E Oak, Jonesboro, AR 72401

**SITE  
DESCRIPTION:** **Tract Size:** Approx. 1.10 Acres  
**Street Frontage:** 100’ Oak; 334.91 Citizen Street, 277.48’ - Cobb; 200.23’ - Cherry  
**Topography:** Predominately Flat  
**Existing Development:** Single Family Residences, Multi-family, Commercial

**SURROUNDING CONDITIONS:**

<b>ZONE</b>	<b>LAND USE</b>
<b>North</b>	<b>C-1 Medical Office/ Parking Lot</b>
<b>South</b>	<b>R-2 Residential/ Apartments</b>
<b>East</b>	<b>R-2 Residential</b>
<b>West</b>	<b>C-1/ Medical/ Offices/Parking Lot</b>

**HISTORY:** Residential Homes and Appraisers Office

**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 Medical Center Cluster / Moderate Intensity Growth Sector. Moderate Intensity has a wider mix of land uses. 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.

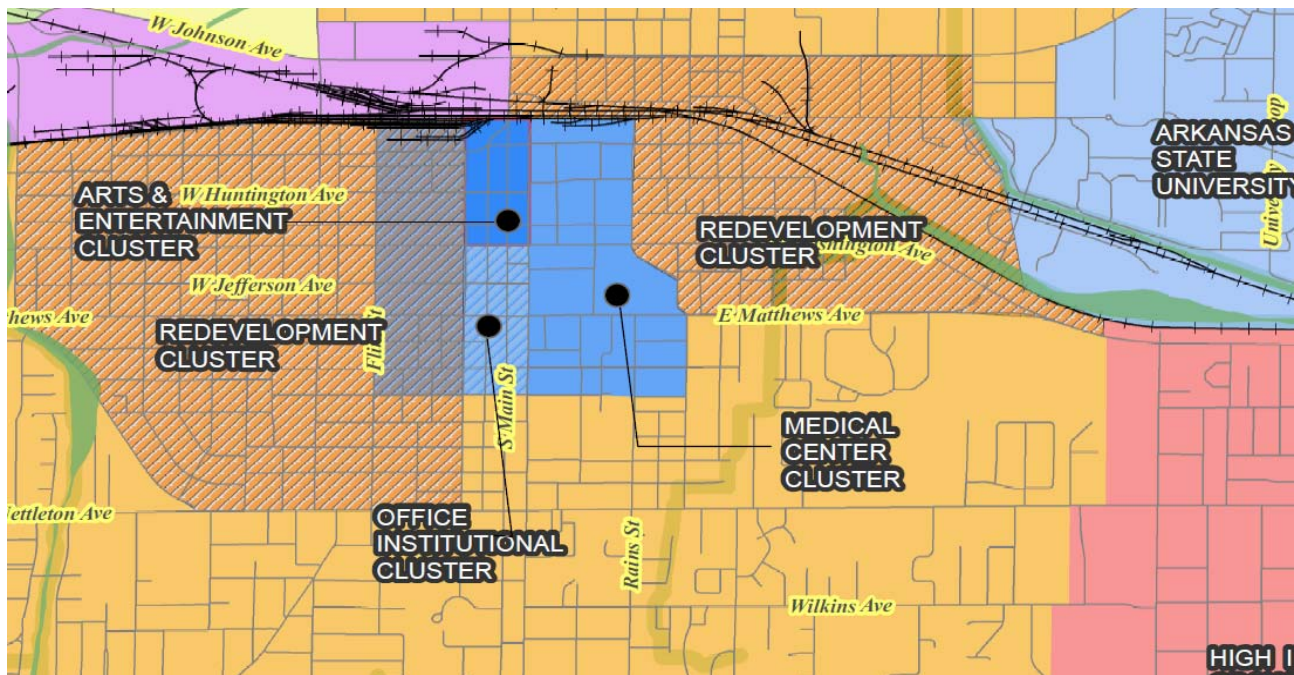
**MODERATE INTENSITY RECOMMENDED USE TYPES INCLUDE:**

- 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

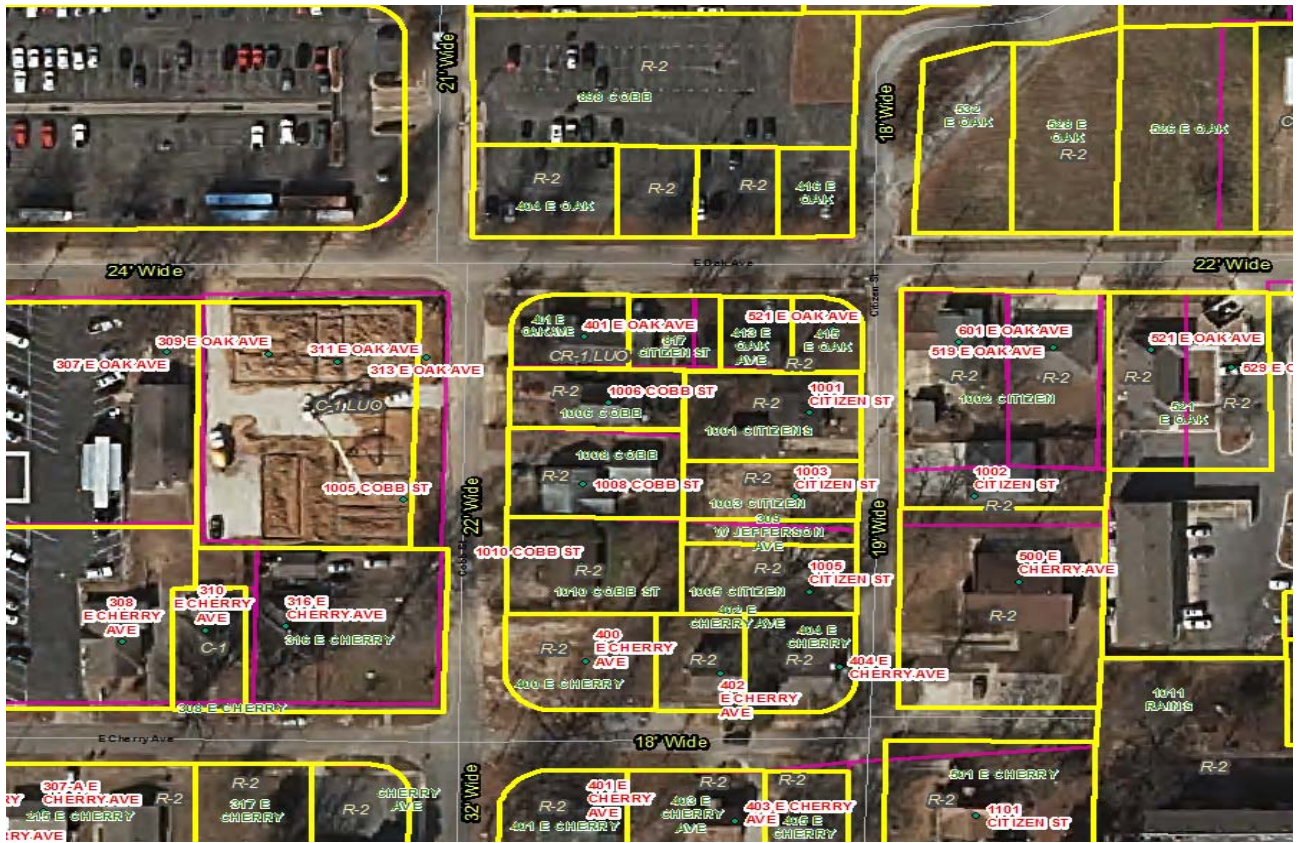
The Medical Center Cluster promotes links between the Medical Center and the other clusters within Downtown, as well as the Arkansas State University Campus.

**MASTER STREET PLAN/TRANSPORTATION**

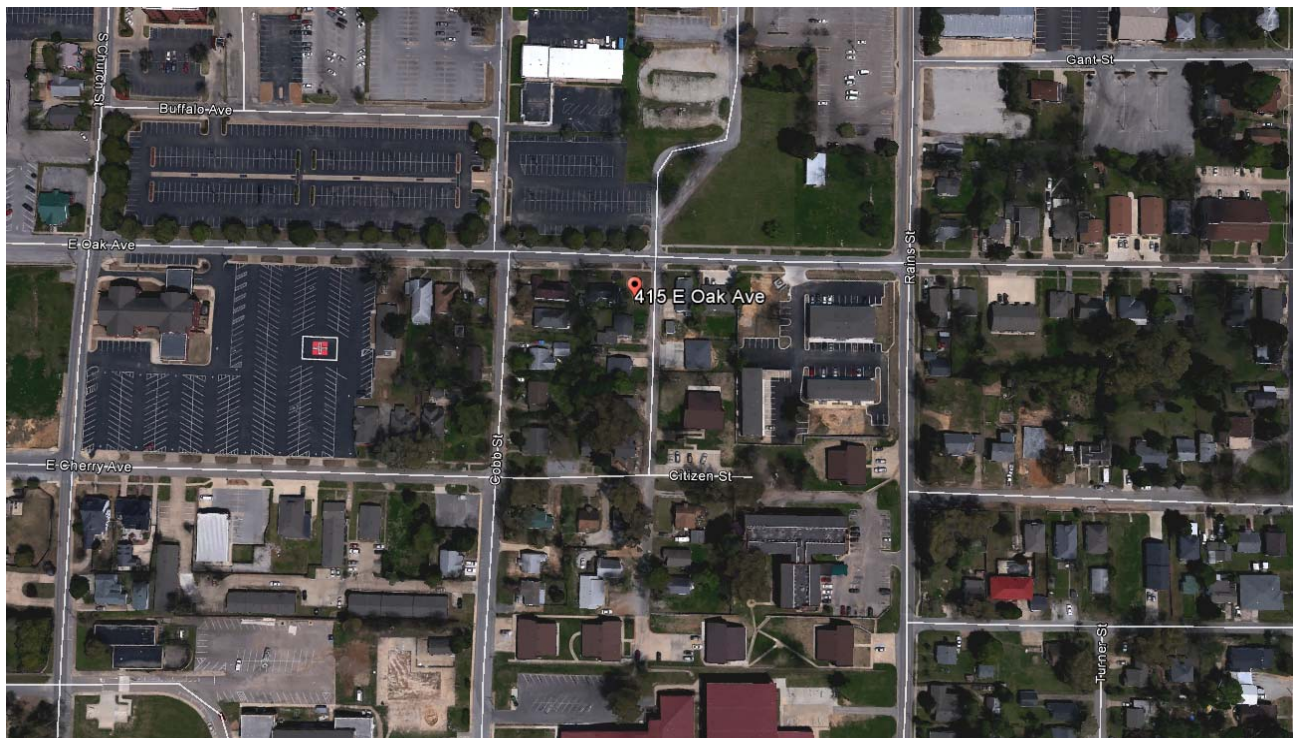
The subject site is served by Citizen, Cherry, Cobb and E. Oak Streets, which on the Master Street Plan are defined as local streets. The street right-of-ways must adhere to the Master Street Plan recommendation upon replatting and redevelopment as noted on the plat.



**Adopted Land Use Map**



**Aerial/Zoning Map**



**Aerial 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) <b>Consistency of the proposal with the Comprehensive Plan/Land Use Map.</b>	The proposed C-1 Downtown District rezoning is consistent with the Future Land Use Plan, which was categorized as Medical Center Cluster / Moderate Intensity Growth Sector. The Property would be developed into Townhomes and Patio Homes.	
(b) <b>Consistency of the proposal with the purpose of Chapter 117-Zoning.</b>	The proposal will achieve consistency with the purpose of Chapter 117, with compliance of all C-1 District standards.	
(c) <b>Compatibility of the proposal with the zoning, uses and character of the surrounding area.</b>	Compatibility is achieved. This is adjacent to Medical - the medical core and the proposed uses would complement said district as noted.	
(d) <b>Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment.</b>	Conventional zoning restraints does not support innovative design ideas for clustering housing in an urban fashion, with reduced front setback and zero lot line parameters.	
(e) <b>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.</b>	The proposed uses are said to compliment and increase curb appeal to the area. No detrimental or adverse impacts are predicted. The elements will be taken care of thru the development site plan with the appropriate departments.	
(f) <b>Length of time the subject property has remained vacant as zoned, as well as its zoning at the time of purchase by the applicant.</b>	Property has older homes and a vacant lot and is in transition for redevelopment and revitalization.	
(g) <b>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.</b>	Minimal impact if rezoned due to the fact that businesses and residential currently exist or did as of recent. The elements will be taken care of thru the development site plan with the appropriate departments.	

## STAFF FINDINGS

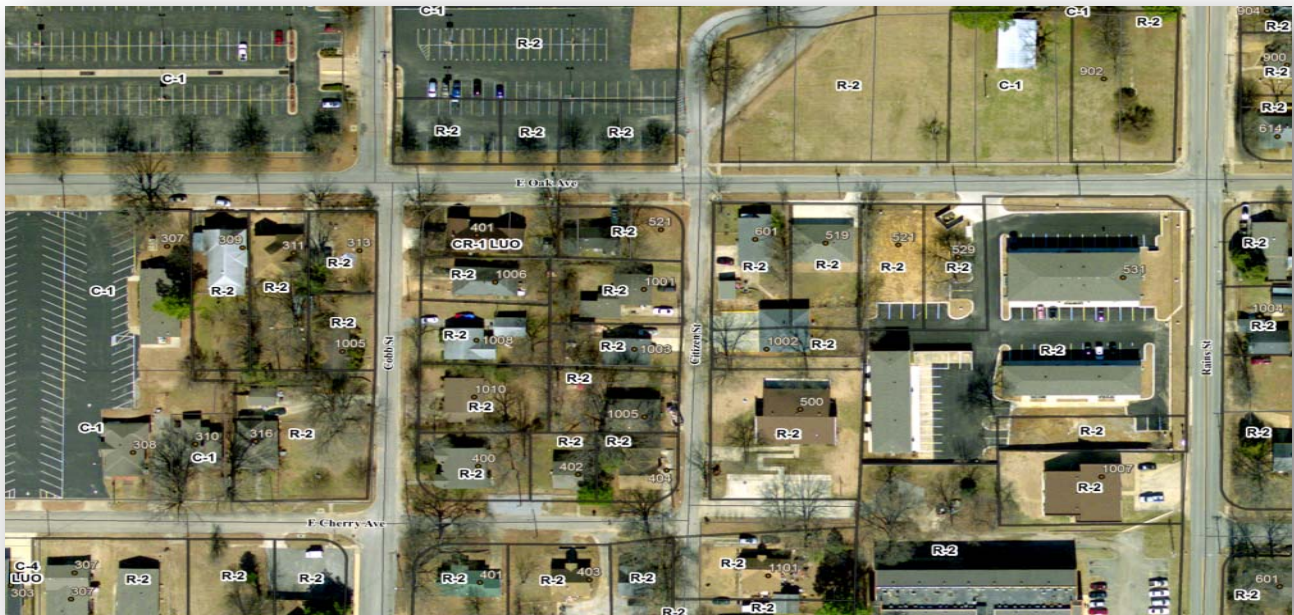
### Applicant's Purpose

The applicants hope to consolidate all of the subject property and generate a suitable size area for a mixed housing development which would situate residential attached/or detached dwellings within the development. This theme will be carried throughout as the developers strive to create a living environment that would increase the appeal of the area for professional and developing community. Currently this planning area has a vast amount of land zoned as R-2 low-density multi-family. Current development trends have shown a gradual infill of duplexes and four-plexes in this area as previous homes have been demolished and replaced. This development would consist of Townhomes and Patio Homes with the C-1 LUO asking for Residential on the bottom floor and the top floor no commercial will be implemented in this area.

Staff has had an opportunity to speak with the development group, such as development has received much success in Northwest Arkansas, and will set the mark of how this area could be a Jonesboro asset if implemented smartly. With the suggested Limited Use Overlay of residential on the bottom and the top floor instead of Commercial, the Planning Staff will be afforded an opportunity to gain more detailed information that will give assurance of a well-designed infill development that will enhance the area.

### Chapter 117 of the City Code of Ordinances/Zoning defines C-1/Downtown Core District as follows:

Definition: C-1, downtown core commercial district. This district is characterized by concentrated development of permitted uses, including office and institutional, service, convenience and specialty retail, entertainment and housing. Redevelopment of the area is contemplated, with emphasis on an art and entertainment cluster. Accordingly, it is anticipated that one or more overlay or other special districts will be established to help foster transformation of the area.



*View of Larger Area Showing Current Zoning*

**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 C-1, Downtown Core 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 within the Zoning Ordinance Chapter 117, but with the LUO, it will be Townhomes and Patio Homes only.

Uses	C-1	Uses	C-1
Bed and Breakfast	P	Utility, minor	P
Hospital	P	Vehicle repair, limited	C
Auditorium or stadium	C	Vocational school	P
Automated teller machine	P	Agriculture, farmers market	P
Bank or financial institution	P	Sign, off-premises*	C
Cemetery	P	Retail/service	P
Church	C	Safety services	P
College or university	P	School, elementary, middle and high	P
Communication tower	C	Service station	C
Funeral Home	C	Museum	P
Convenience store	C	Office, general	P
Day care, limited (family home)	P	Parking lot, commercial	P
Day care, general	C	Parks and recreation	P
Golf Course	P	Nursing Home	C
Government service	P	Post office	P
Hotel/Motel	P	Recreation/entertainment, indoor	P
Library	P	Carwash	C
Medical service/office	P	Restaurant, fast-food	C
		Restaurant, general	P

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**MAPC RECORD OF PROCEEDINGS: PUBLIC HEARING HELD ON March 13, 2018**

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**APPLICANT:** Ted Herget with MATH Investments is requesting a Rezoning from R-2 Multi-Family Low Density District to C-1 Downtown Core Commercial District Limited Use Overlay for 1.1 +/- acres of land located at 415 E. Oak Avenue. Going to mirror what we did across the street. Same Zoning West and the product worked really well and trying to get that wrapped up. Honestly, it may take a while to get rolling but just want to build one or two of these at a time.

**STAFF:** Derrel Smith stated this does meet all criteria for approval and we do recommend approval with the following stipulations:

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 Planning Department, prior to any redevelopment of the property.
3. The following use: Residential Only on both floors with no Commercial for the Limited Use Overlay.
4. Compliance with the Master Street Plan shall be required prior to any redevelopment of the said site, unless waivers are granted by the MAPC.

**PUBLIC:** No Opposition.

**COMMISSION ACTION:**

Mr. Dennis Zolper made a motion to approve Case: RZ: 18-04, a request to rezone property from “R-2” Multi-Family Low Density District to “C-1” Downtown Core Commercial District, subject to following the conditions and approval by the MAPC as submitted, to the City Council with the following stipulations:

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 Planning Department, prior to any redevelopment of the property.
3. The following use: Residential Only on both floors with no Commercial for the Limited Use Overlay.
4. Compliance with the Master Street Plan shall be required prior to any redevelopment of the said site, unless waivers are granted by the MAPC.

The MAPC Recommends approval to forward to Council to rezone property from “R-2” Multi-Family Low Density District to “C-1” Downtown Core Commercial District. Motion was seconded by Mr. Jerry Reece.

**Roll Call Vote: 8-0, Aye's: Jim Scurlock; Jeb Spencer; David Handwork; Kevin Bailey; Jerry Reece; Jimmy Cooper; Jim Little; Dennis Zolper**

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**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 18-04, a request to rezone property from "R-2" Single Family to "C-1, L.U.O.", Downtown Core District, Mixed Residential Use, Limited Use Overlay subject to final site plan approval by the MAPC subject to 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 regarding any new construction.
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. The following use: Residential Only on both floors with no Commercial for the Limited Use Overlay.
4. Compliance with the Master Street Plan shall be required prior to any redevelopment of the said site, unless waivers are granted by the MAPC.

Respectfully Submitted for Planning Commission Consideration,  
The Planning Staff

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**Sample Motion:**

I move that we place Case: RZ-18-04 on the floor for consideration of recommendation by MAPC to the City Council with the noted conditions, and we find to rezone property from "R-2" Multi-Family to "C-1", Downtown Core District, Mixed Residential Use, Limited Use Overlay will be compatible and suitable with the zoning, uses, and character of the surrounding area, subject to the Final Site Plan review and approval by the Planning Staff in the future.



# *Pictures of Area*









