



City of Jonesboro City Council
Staff Report – RZ07-20: Troy Coleman/Jay Harmon

Huntington Building - 900 W. Monroe

For Consideration by the City Council as an Appeal of MAPC's Denial – 5/15/07

REQUEST: To consider rezoning a parcel of property containing approximately 38.77 acres more or less.

PURPOSE: A request to recommend approval to the Metropolitan Area Planning Commission for rezoning of AG-1 Agriculture to RS-7 Single Family Residential.

APPLICANT: Troy Coleman, 107 Joe Martin Expy., Bono, AR 72416

OWNER: Troy Coleman, 107 Joe Martin Expy., Bono, AR 72416

LOCATION: Kathleen Street, between Morton and Pacific

SITE DESCRIPTION: Tract Size: Approx. 38.77 acres, 1,688,632.71 s.f.
Frontage: Approx. 1,020 ft. on Kathleen, 453 on Pacific
Topography: Flat
Existing Dvlpmt: Agricultural

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
North:	R-1	Residential
South:	AG-1, R-3, R-6 LU	Agriculture, Residential
East:	AG-1	Agriculture
West:	I-2	Airport

HISTORY: Previous submittals withdrawn by applicant.

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

MAPC RECORD OF PROCEEDINGS: RZ-07-20 Troy Coleman/Jay Harmon request rezoning from AG-1 Agricultural to RS-7 Single Family (7 units per acre) for 37.8 acres located on Kathleen St. between Morton Dr. and Pacific Rd.

Mr. Brent Crews came forward as proponent for this item. Mr. Crews discussed the prior requests for multi-family which were denied and also discussed RS-7 zoning that they are requesting at this time.

Mr. Leslie Ward came forward as an opponent for this item. Mr. Ward presented the commission with a petition with 122 signatures opposing this item. Traffic issues are concerns and there are concerns with bussing issues for the school. They are not opposed to progress but are worried what this will do to their

property values and are worried that this is not the right type of progress for their area.

Mr. Lewis Stadler came forward to state that he respects Mr. Harmon for trying to develop the area but that the amount of homes that Mr. Harmon is suggesting would make traffic too heavy and drainage a problem. Mr. Stadler believes it should be a zoning of RS-1 instead of RS-7.

Mr. Carlos Wood came forward to address the zoning choice. Mr. Wood stated that they chose RS-7 due to the lot width of 60 ft. If you put the right-of-way in there for the street, you could possibly get 5.5 lots per acre and they would not have 7 lots per acre on each acre.

Mr. Kenneth Jones came forward and stated that he lived out in this area a long time ago but that this area is a flood zone.

City planner, Otis Spriggs stated that staff has had to give comments and various proposals and submittals on this property and is unclear of the best use of the land. Mr. Spriggs stated that he feels that the single family residential rezoning would not conflict with land use principles in this area.

City engineer has not had an opportunity to review these plans but if this is approved suggested that they provide a detailed drainage study since this area is in a flood zone.

Mr. Tomlinson asked about the right-of-way on Kathleen Street and the railroad track right-of-way. He wanted to know the distance between the track and the property line. There is approximately 98 ft. from the center of the railroad and the right-of-way that would be right off the center line. You would have about 18 ft. from the edge of the pavement to the edge of the right-of-way.

Mr. Tomlinson made a motion for the rezoning to be approved as submitted and recommend to City Council. Harpole seconded. Halsey voted no. Harpole voted aye. Collins voted no. Norris voted no. Tomlinson voted aye. Day voted no. Roberts voted no.

This item was recommended for denial.

COMPREHENSIVE PLAN FUTURE LAND USE MAP

The 1996 Comprehensive Plan Future Land Use Map (page 24) shows the area recommended as Light Industrial Commercial. This designation includes light intensity, wholesale use and distribution. This area is pending a restudy on the land use map by the Land Use Advisory

Committee. Recent discussions have not supported multi-family nor commercial uses along this corridor due to lack of adequate infrastructure.

Pertinent Zoning Ordinance sections include Section 14.44.05(b), 'change in District Boundary', beginning on page 104.

Approval Criteria- Section 14.44.05, (5a-g)- 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.

Findings:

Consistency is not achieved with the Comprehensive Plan where the RS-7 Single Family Use is requested. If approved, the proposed single family district will be subject to full subdivision review by the Metropolitan Area Planning Commission. At that time the need for amenities such as open space and additional infrastructure will be evaluated and considered. Staff has discussed alternatives to the Kathleen St. right of way width issue. The applicant has agreed to dedicate additional right of way as a basis for approval by City Council.

Conclusion:

The MAPC and the Planning Department staff finds that the requested Zone Change submitted by Troy Coleman and Jay Harmon should be reviewed based on the observations above in the Case of RZ07-20: a request to rezone property from AG-1 to RS-7 Single Family at 7 lots per acres maximum.

Respectfully Submitted for Commission Consideration,

Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



View looking north towards property



View looking west towards airport



View of the site looking south



View of the site looking to the east