

*City of Jonesboro City Council*  
**Staff Report – RZ 16-02: 903 E Matthews. Rezoning**  
 Municipal Center - 300 S. Church St.  
*For Consideration by the Council on February 16, 2016*

**REQUEST:** To consider a rezoning of one tract of land containing 2.19 acres more or less.

**PURPOSE:** A request to consider recommendation to Council by the MAPC for a rezoning from “R-2” & “C-2 LUO” to “C-1” Downtown Core District, L.U.O. Mixed Use.

**APPLICANTS/ OWNER:** Midtown Development, LLC, 308 E. Cherry St., Jonesboro, AR 72401

**LOCATION:** 903 E. Matthews Ave., Jonesboro, AR 72401

**SITE DESCRIPTION:** **Tract Size:** Approx. 2.19 Acres  
**Street Frontage:** 195’ Matthews, 490’ Haltom & Patrick.  
**Topography:**  
**Existing Development:** Vacant lots.

**SURROUNDING CONDITIONS:**

ZONE	LAND USE
North	C-5 Commercial Office/ Residential Homes
South	R-2 Residential and Vacant Land
East	C-5/R-2 Vacant Commercial and Residential
West	C-1/C-5 Commercial Bank & Vacant Land

**HISTORY:** Property was approved for rezoning from R-2 Multi-Family Low Density District to C-2 L.U. Overlay Downtown Fringe Commercial with a list of uses on April 1, 2008 by Council.

**ZONING ANALYSIS:**

*City Planning Staff has reviewed the proposed Zone Change and offers the following findings:*

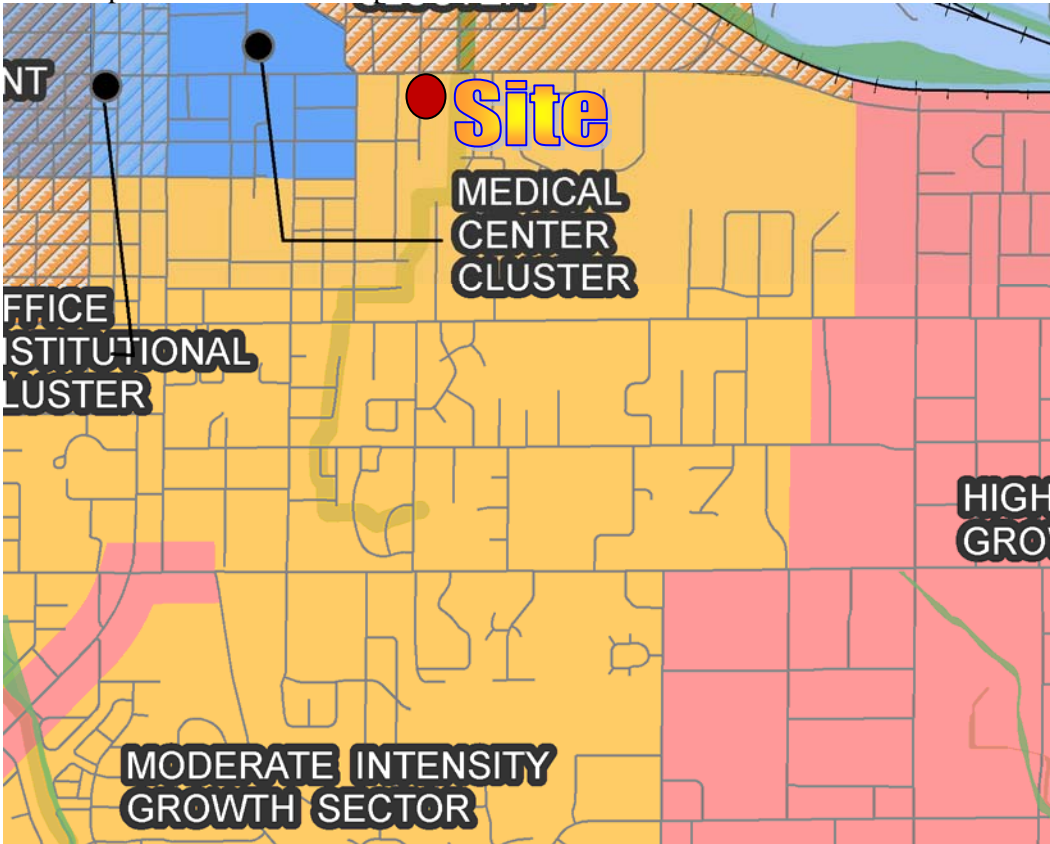
**COMPREHENSIVE PLAN LAND USE MAP:**

The Current/Future Land Use Map recommends this location as Moderate Intensity Growth Sector. The proposed rezoning is consistent with the adopted Land Use Plan for the existing and proposed use if proper controls are implemented. Highway commercial is typical for this area.

**Moderate Intensity Recommended Use Types Include:** Neighborhood retail, neighborhood services, office parks, small medical offices, libraries, schools, other public facilities, senior living centers, nursing homes, community-serving retail, small super market, convenience store, bank, and multiple housing.

**Master Street Plan/Transportation**

The subject site is served by E. Matthews Ave., which on the Master Street Plan is defined as a Minor Arterial; 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**

**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 Moderate Intensity Growth Sector with the mix of uses described in the application.	
(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 Mile and the proposed uses would compliment 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 midtown area. No detrimental or adverse impacts are predicted.	
(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 is semi-vacant and 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.	

**Staff Findings:**

**Applicant's Purpose**

The applicants hope to consolidate all of the subject property and generate a suitable size area for a mixed use development which would showcase commercial space along the Matthews frontage that would blend in with what's now known as the Medical Mile Corridor, and situate residential attached/or detached dwellings on the southern side of the development. This theme will be carried throughout as the developers strive to create a living/working environment that would increase the appeal of the midtown 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.

Unless a Limited Use Overlay District is requested and agreed on by the applicant(s), no conditions by the Commission or Council can be placed on a successful rezoning. Staff has had an opportunity to speak with the development group and such as development has received much success in Northwest Arkansas and will set the mark of how this midtown area could be a Jonesboro asset if implemented smartly. With a suggested Limited Use Overlay, the MAPC 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. During deliberation the applicants agreed to modify the request as such.

**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.	Attended the Meeting.
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:

Uses	C-1	Uses	C-1
Loft apartment * Conditional Use for Apartments on First Level	P/C	Utility, major	C
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

## **Record of Proceedings: MAPC Meeting held February 9, 2016**

**Applicant:** **Carlos Wood, Engineer** and Agent for the Applicants appeared before the Commission with Mr. Joshua Olson.

**Mr. Wood:** We want to rezone lots on the south side of Matthews Ave., between Haltom and Patrick St., to a C-1 District.

**Joshua Olson**, Residential and Commercial Real Estate Broker in Jonesboro, explained the reasoning of wanting the change as requested by **Mr. Kelton**. **Mr. Olson** passed out a development package with a mission statement. The idea is to do a present a preliminary plan with mix use commercial on the front, with higher density residential on the back. This would include lots they own in midtown development as well. The project will tie Medical Mile to Midtown and Downtown Jonesboro. The commercial part of the project will anchor development for future single family and infill positions. As a real estate developer, he has had questions of professionals looking for housing in that area. Examples of façades of the residential in the rear, and commercial towards the front on Matthews were presented.

**Mr. Kelton:** Do you have any information about the density. **Mr. Olson:** Originally we laid it out with 48 units of residential in back. The front has 10,000 s.f. of commercial space, which will include restaurant and light office. The density will depend on if we a can rezone, and exactly what we can be laid out there.

### **Staff:**

**Mr. Spriggs** gave staff comments, presenting the surrounding conditions and zoning classifications. The Ordinance adopting the C-2 L.U.O. was attached to the agenda. The Land Use Plan recommends this area as a moderate intense growth sector. Because of the adjacency to other C-1 Downtown Uses and the general area, the proposed uses will be compatible. The list of suggested uses were read. Regarding the Master Street Plan, Matthews is a minor arterial. However, there are future plans to extend Patrick south as a widened corridor. The rezoning criteria list was read, noting consistency and compatibility with the overall area. **Mr. Spriggs** added, staff has seen examples by the developers from Northwest Arkansas, of which the project architect has implemented successfully. The mixed use approach would be fitting in regards to what is being promoted on the Miracle Mile/ Greenway corridor. **Mr. Spriggs** noted that at application, this request was not submitted as a Limited Use Overlay which raised concerns by staff; however with the details presented today it would satisfy the L.U.O. approach.

**Mr. Olson:** The idea is not to cram as many units on as possible; we want to comfortably place an environment that will lead to a more professional feel. **Mr. Spriggs** noted that none of the requested departments or agencies returned any comments objecting to the proposal. **Mr. Olson** concurred with the Limited Use Overlay modification.

**Mr. Bailey:** Asked with the proposed sidewalks, will it address a traffic corridor running through there? **Mr. Michael Morris**, Engineering stated that they would have to include sidewalks. The on-street parking and width of right-of way would be an issue. **Mr. Spriggs** noted that the C-1 District will afford them the ability to utilize zero-lot lines with no front setback being required, which would allow more corridor width.

**Mr. Olson:** The residential units will be only 2-story.

**Mr. Scurlock** commented on the density. **Mr. Spriggs** stated that with the available acreage proposed, if the height is limited, the maximum number of units will be restricted greatly with the proposed parking included.

**Mr. Reese:** Commented on the need for the right-of-way. **Mr. Morris** stated that the proposed (un-adopted) Master Street Plan would have Patrick as an arterial. **Mr. Olson:** We would want to work with the City.

**Public Input:** None Present. **Mr. Spriggs** noted that staff received an inquiry from St. Bernards regarding the proposed change. **Mr. Olson:** when they heard that it would be a mixed they were ok with it.

**Commission Action:**

**Mr. Reese** made a motion to place Case: RZ-16-02 on the floor for consideration of a recommendation by MAPC to the City Council with the noted conditions and that he Master street plan be adhered to on Patrick, a zone change from “R-2” Single Family and “C-2, L.U.O.” to “C-1”, Downtown Core District, Mixed Use L.U.O., Limited Use Overlay and it 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 MAPC in the future; Motion was second by **Mr. Cooper**.

**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 conceptual and final site plan layout of the residential product should be presented to the MAPC for approval, prior to any redevelopment of the property.
3. Compliance with the Master Street Plan shall be required prior to any redevelopment of the said site, unless waivers are granted by the MAPC.
4. The attached residential uses shall be limited to maximum of 2- story structures within the district boundary of 2.19 acres.

**Roll Call Vote: 5-0 Approved.**

Mr. Cooper- Aye; Mr. Scurlock- Aye; Mr. Bailey- Aye; Mr. Reese- Aye; Mr. Kelton- Aye.

**Absent were:** Mr. Roberts, Mr. Hoelscher, Mr. Stripling, Mr. Perkins.

**Conclusion:**

The MAPC and the Planning Department Staff find that the requested Zoning Change submitted for subject parcel, should be approved based on the above observations and criteria of Case RZ 16-02, a request to rezone property from “R-2” Single Family and “C-2, L.U.O.” to “C-1”, Downtown Core District, Mixed Use L.U.O., 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 Conceptual layout of the residential product should be presented to the MAPC for approval.
3. 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.
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 Council Consideration,



Otis T. Spriggs, AICP, Planning & Zoning Director

# Site Photographs



View looking Northwest Properties across Matthews Ave.

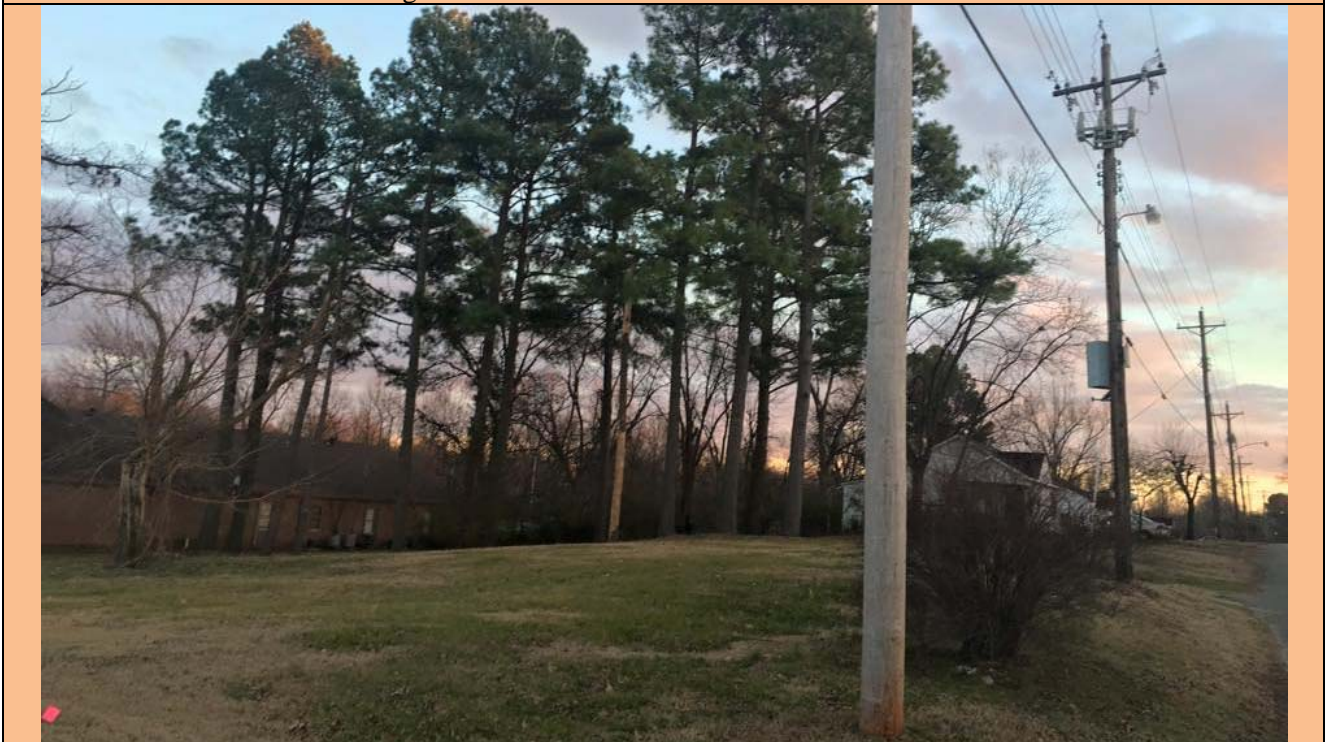


View looking South on Patrick St., Site to the Right





View looking West toward Site from Patrick St. & E. Matthews Ave.



View looking South from the Intersection of Patrick St. & E. Matthews Ave.



View looking East from the Intersection of Patrick St. & E. Matthews Ave.



View looking West toward site from the Intersection of Patrick St. & E. Matthews Ave.



View looking West toward site from the Intersection of Patrick St. & E. Matthews Ave.



View looking North on Patrick St. toward E. Matthews Ave.



View looking Northeast on Patrick St. toward E. Matthews Ave.



View looking South on Patrick St. at homes to the East of Site



View looking Southwest on Patrick St. toward Site



View looking North on Patrick St. toward E. Matthews Ave.



View looking North on Patrick St. Site on Left



View looking North on Patrick St., Homes to east of site



View looking North on Patrick St. Site on Left



View looking Southeast Toward the Intersection of Haltom St. & E. Oak Ave.



View looking Southeast from Haltom St. toward Site- Homes to be Removed



View looking North on Haltom St. towards E. Matthews Ave.





View looking East along E. Matthews, Commercial on West side of Site



View looking Southwest at Bank, West of Site



View looking Northwest at Homes across E. Matthews from Site