



City of Jonesboro City Council
Staff Report – RZ 17-27: 800 Scott Street
 Municipal Center - 300 S. Church St.

For Consideration of an Appeal to the City Council on November 21, 2017

REQUEST: To consider a rezoning of one tract of land containing 7.66 acres more or less.

PURPOSE: A request to consider recommendation to Council of an appeal for the rezoning of 7.66 acres of land located at 800 Scott Street from R-1 Single Family Residential and R-2 Low Density Multi-Family Residential to RM-8 Multi-Family Residential. Please remember when this went thru MAPC they were requesting RM-16 Multi-Family Residential.

**APPLICANTS/
 OWNER:** Barbara Tosh, 800 Scott Street, Jonesboro, AR

LOCATION: 800 Scott Street, Jonesboro, AR

**SITE
 DESCRIPTION:** **Tract Size:** Approx. 7.66 acres

STREET FRONTAGE: **Street Frontage:** Around 550 feet along Greensboro Road and Pineview Street
Topography: Flat
Existing Development: Applicants house and an old storage building

SURROUNDING CONDITIONS:

ZONE	LAND USE
North	R-1 Single Family Residential District
South	R-2 Low Density Multi-Family Residential District
East	R-3 High Density Multi-Family Residential District
West	R-1 Single Family Residential

HISTORY: This property has an old storage building sitting on it.

ZONING ANALYSIS

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

COMPREHENSIVE PLAN LAND USE MAP

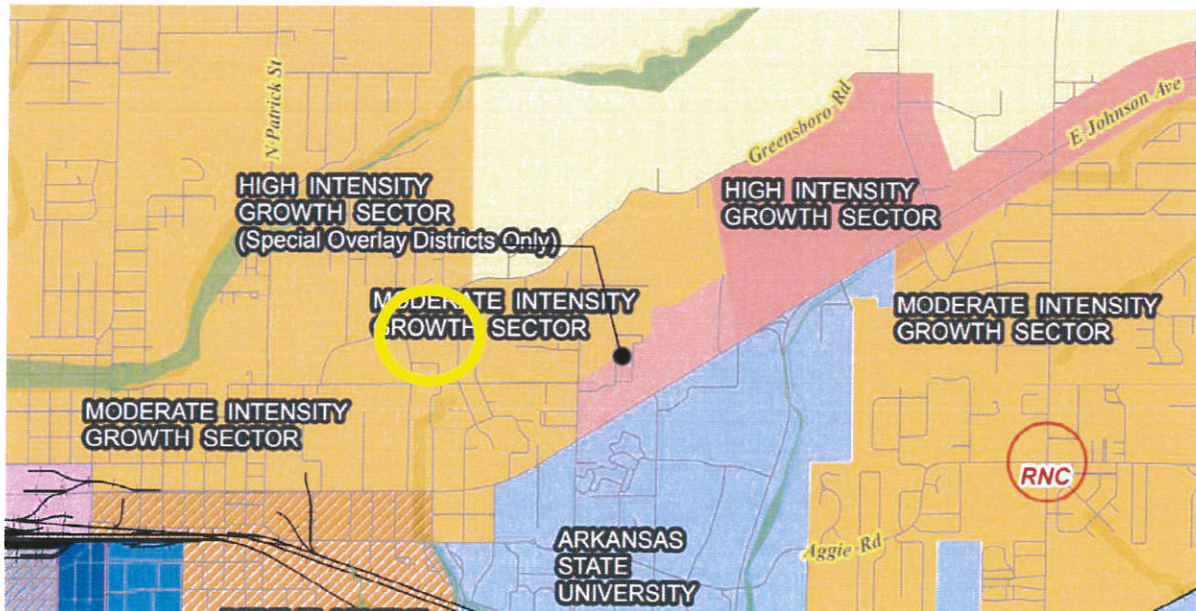
The Current Land Use Map recommends this location as a Moderate Intensity Growth Sector. Wide ranges of land uses are appropriate in the moderate intensity sectors. Control of traffic is probably the most important consideration in this sector. Good building design, use of quality construction materials, 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 location of transit stops.
Typical Land Uses:

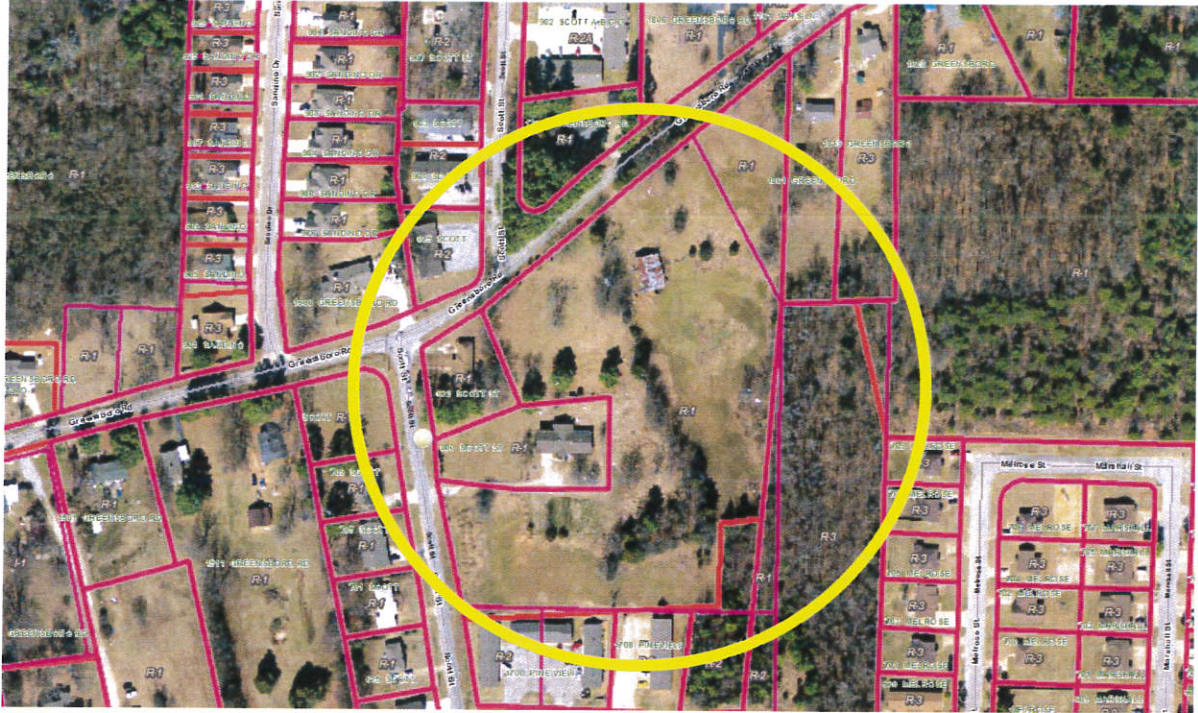
- Single Family Residential
- Attached Single Family, duplexes, triplexes and fourplexes
- Neighborhood retail, Neighborhood Services
- Office parks
- Smaller, medical offices
- Libraries, schools, and other public facilities
- Senior living centers/nursing homes, etc.
- Community-serving retail
- Small supermarket
- Convenience store
- Bank
- Barber/beauty shop
- Farmer's Market
- Pocket Park

MASTER STREET PLAN/TRANSPORTATION

The subject site is served by Scott Street. The street right-of-ways must adhere to the Master Street Plan.



Adopted Land Use Map










Aerial/Zoning Map



Aerial View

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.	This area is classified as a Moderate Intensity Growth Sector. No more than 8 dwelling units per acre are recommended for this sector. This proposed development is asking for RM-8. Please note when this went thru MAPC IT WAS RM-16. So with their request the X WILL GO TO A 	
(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.	With the exception of R-3 Parcels to the East, this area is mostly R-1 Single Family and R-2 Low Density Multi-Family Residential. The R-3 lots to the East currently have Single Family homes one them.	
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment.	If the property was left as R-1, this lot could be developed as Single Family Residential.	
(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.	The development could cause an increase in traffic. Proper buffer controls should be used to shield the single-family housing from the multi-family development	
(f) 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.	

STAFF FINDINGS

APPLICANT’S PURPOSE:

The applicant would like to rezone the property so the land can be sold for its highest and best use.

Chapter 117 of the City Code of Ordinances defines RM-16 Multi-Family Residential:

RM-16 Multi-Family Residential: Residential multi-family classification; sixteen units per net acre, includes 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.	

MAPC RECORD OF PROCEEDINGS: PUBLIC HEARING HELD ON SEPTEMBER 26, 2017

APPLICANT: Ms. Barbara Tosh requested MAPC approval for a rezoning at 800 Scott Street. She would like to rezone her property from R-1 Single Family Residential to RM-16 Residential Multifamily Classification. This multifamily classification would allow for up to 16 units per acre. Mr. Charles Tosh spoke on behalf of his mother, Ms. Barbara Tosh. Mr. Tosh said they would like to rezone the property so it would be easier to sell. His mother was born there. When the City brought this property into the city limits, they zoned the property R-1 instead of R-2 or R-3 like the land surrounding them. Mr. Tosh pointed out several of the houses surrounding his property are rental houses or apartments. Mr. Tosh also said they would be willing to lower the density if the Commission requested them to.

STAFF: Mr. Derrel Smith presented staff comments. This request did not meet four of the six rezoning criteria. The request was not consistent with the Land Use Map, but was not consistent

with Chapter 117-Zoning. The RM-16 zoning is not compatible with the surrounding area and the property could still be developed as Single Family Residential if not rezoned.

STAFF: Mr. Derrel Smith said the applicant could meet three of the four criteria they are currently not in compliance with by changing their request from an RM-16 to RM-8.

COMMISSION: Mr. Jerry Reece asked Mr. Craig Light how this request matched the Master Street Plan.

ENGINEERING: Mr. Craig Light said the Master Street Plan identified both streets as Collector streets.

AUDIENCE: Ms. Frazier was at the meeting to voice her opposition to the request. She is concerned with crime in the area.

AUDIENCE: Ms. Patty Lagg was at the meeting to voice her opposition to the request. She does not live in the area but feels like there are plenty of apartments in Jonesboro for people to rent. She does not think Jonesboro needs additional apartments.

AUDIENCE: Mr. Victor Garcia was at the meeting to voice his opposition to the request. He was opposed to the rezoning because of crime in the area. He does not want more apartments because he feels like that will cause an increase in crime.

COMMISSION: Mr. Jim Scurlock asked if the Planning Department received any letters back from the surrounding neighbors.

STAFF: Mr. Derrel Smith showed Mr. Jim Scurlock the one letter the Planning Department received about this request.

COMMISSION: Mr. Dennis Zolper said he would view this request in a better light if the applicant were to change the request to RM-8 rather than keeping it at RM-16.

APPLICANT: Mr. Charles Tosh said they would like to lower the request from RM-16 to RM-8.

COMMISSION: Mr. Jim Little asked if the applicant could place single-family housing on RM-16 lots.

STAFF: Mr. Derrel Smith said the only way they could do a mixed use would be to rezoning this to a Planned Development.

A motion was made by Dennis Zolper, seconded by Jim Little, that this matter be Approved. The motion **FAILED DUE TO NUMBER OF AYE VOTES** with the following vote: Please **NOTE THAT AN REZONING HAS TO HAVE 5 VOTES FOR THIS TO GO TO COUNCIL. SO THIS REZONING WAS NOT APPROVED TO GO TO COUNCIL.**

COMMISSION ACTION:

Mr. Dennis Zolper made a motion to approve Case: RZ: 17-28, a request to rezone property from R-1 Single-Family Residential District to RM-8, (REMEMBER THEY LOWERED IF FROM RM-16 TO RM-8) subject to final site plan 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 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.

The MAPC Recommends approval to rezone property from “R-1” Single Family Residential District TO “RM-8”. Motion was seconded by Mr. Jim Little.

Roll Call Vote: 3-2, Aye’s: Kevin Bailey; Dennis Zolper; and Jim Little

Nay: Jerry Reece; and Jim Scurlock

Absent: Ron Kelton; Jimmy Cooper; and David Handwork

NOTE: PLEASE REMEMBER THAT TO FORWARD TO COUNCIL THE VOTES HAVE TO BE 5 IN THE AFFIRMATIVE. THIS REZONING WAS NOT FORWARDED TO COUNCIL.

CONCLUSION

The Planning Department Staff finds that the requested Zoning Change submitted for subject parcel, should the MAPC decide to approve based on the above observations and criteria of Case RZ 17-27, a request to rezone property from R-1 Low Single-Family Residential District and R-2 Low Density Residential District to RM-16 Multi-Family Residential, subject to final site plan approval by the MAPC and 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.

Respectfully Submitted for Planning Commission Consideration,
The Planning Department

Sample Motion

I move that we place Case: RZ 17-27 on the floor for consideration of recommendation by MAPC to the City Council with the noted conditions, and we, the MAPC find that changing the zoning of this property from R-1 Single Family Residential District and R-2 Low Density Multi-Family Residential District to RM-16 Multi-Family Residential, 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.



View looking North



View looking South



View looking East



View looking West