

City of Jonesboro City Council
Staff Report – RZ 14-13: Red Wolf /Fairview Dr. Rezoning
 Municipal Center - 300 S. Church St.
For Consideration by the Council on September 2, 2014

REQUEST: To consider a rezoning of land containing 2.17 acres more or less.

PURPOSE: A request to consider recommendation to Council by the MAPC, for a rezoning from “R-3” High Density Multi-Family Residential & C-3 Commercial L.U.O.” to a C-3 L.U.O. General Commercial Limited Use Overlay District.

**APPLICANTS/
OWNER:** **Haag Brown Development, LLC**, 2900 Browns Lane, Jonesboro AR
On behalf of several owners (See Application): Bayird Properties, LLC, Randy Bowlin, HBL Development, LLC, Gary M. & Corral Meeker, Earnest & Odessa Alread, Robby Joe Cook, Phillip Manry, Debie Kysar, Louis Wilson & Terry Sue Phillips.

LOCATION: Lots 1-10 of Fairview Acres, Located at the intersection of Red Wolf Blvd., Fairview Dr., Brazos St., and Fair Cove.
 2306, 2308, 2310, 2312 Red Wolf Blvd., 3000, 3006 Fairview Dr. and 2317, 2319, 2321 Fair Cove

**SITE
DESCRIPTION:** **Tract Size:** Approx. 2.17 Acres (94,716 sq.ft.)
Street Frontage (feet): 297 ft. along Red Wolf Blvd.
 300 ft. along Fairview and Brazos
 220 ft. along Fair Cove
Topography: Predominately Flat

Existing Development: Existing Single Family Homes (10)

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
North:	C-3 Residential	Retail, Residential
South:	C-3 Commercial/R3 Multi-Fam.	Single Family, Retail
East:	R-3	Single Family Residences
West:	C-3-Commercial	Church, Retail, Restaurants

HISTORY: Property located at 2300 Stadium was rezoned to C-3 L.U.O. under Ordinance ORD-10:038 on May 4, 2010 and adopted by City Council; and, the property located at 3000 Fairview was rezoned to C-3 L.U.O. under Ordinance ORD-08:046 on July 1, 2008 by City Council.

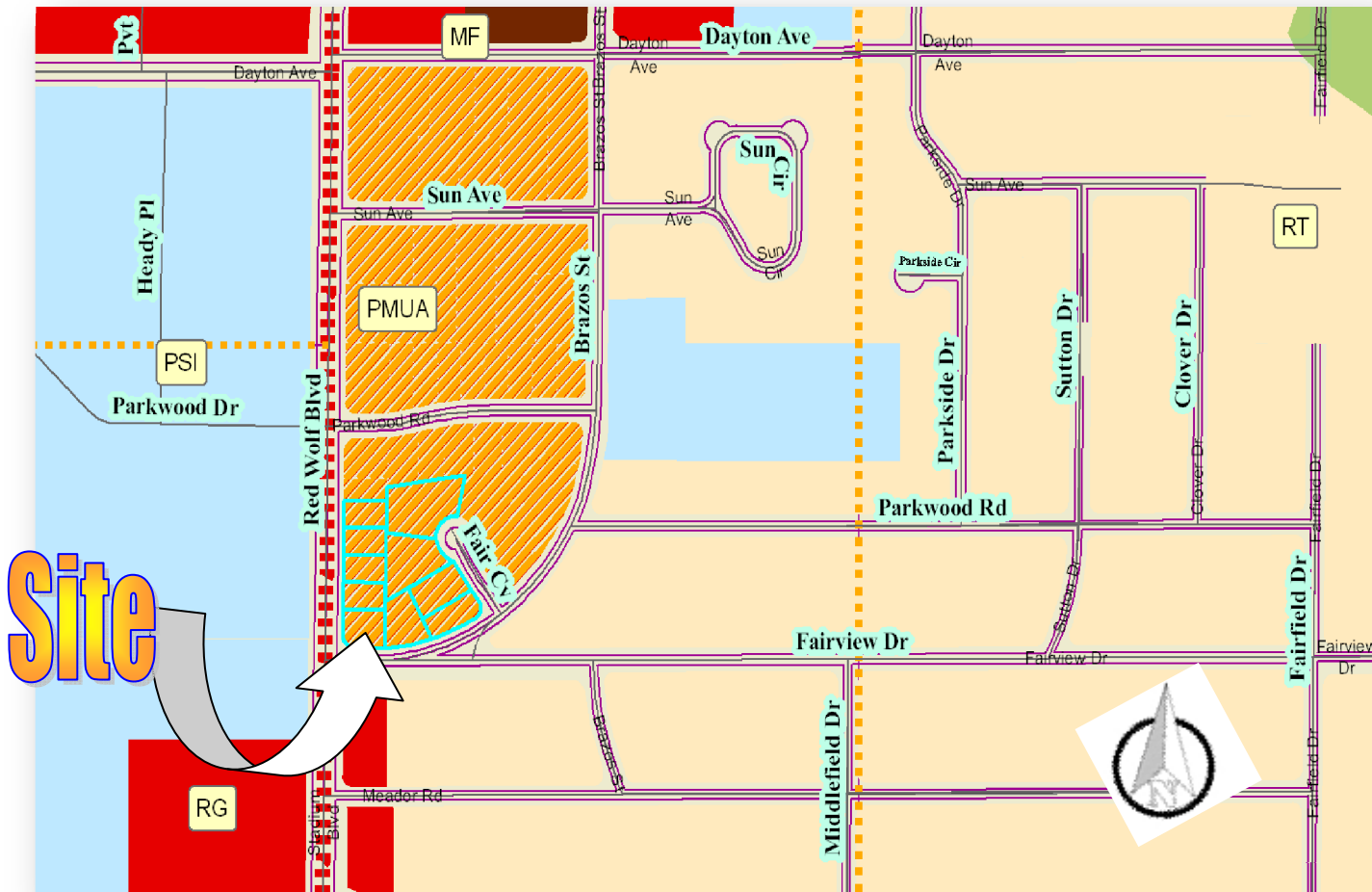
ZONING ANALYSIS

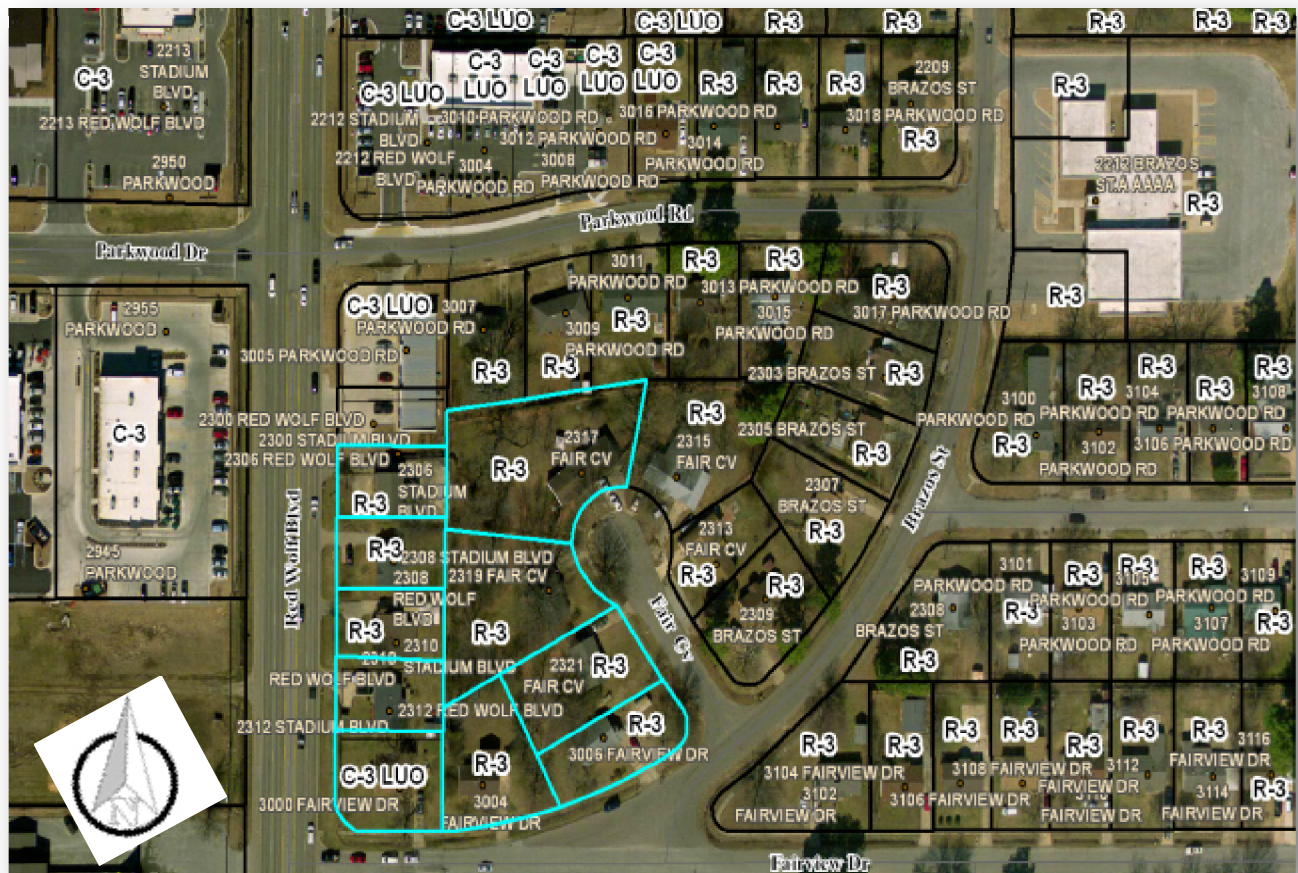
City Planning Staff has reviewed the proposed Zone Change and offers the following findings:

COMPREHENSIVE PLAN FUTURE LAND USE MAP

The Current/Future Land Use Map recommends this location as a Planned Mixed Use Employment Area. The proposed rezoning is consistent and in compliance with the adopted Land Use Plan.

The Future Land Use Plan recognizes this general area as an area in transition and redevelopment along the Stadium/Red Wolf Corridor. The commercial mixed uses do not extend past Brazos St. in the East direction.





Vicinity/Zoning Map

Master Street Plan/Transportation

The subject property is served by Red Wolf Blvd. on the West and it fronts on City Streets to the South and East (i.e. Fairview Dr., Brazos, and Fair Cove). On the Red Wolf Blvd, the corridor is classified as a Principal Arterial on the Master Street Plan. A right of way of 120 ft. is required. A minimum of 60 ft. right of way is required on all local roads. Compliance with the master street is required for development of non-platted property.








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 issues reported to date.	Stormwater Design is pending.
Streets/Sanitation	No issues reported to date.	No Objections voiced at pre-meeting.
Police	No issues reported to date.	No Objections submitted.
Fire Department	No issues reported to date.	No Objections voiced at pre-meeting.
MPO	No issues reported to date.	No Objections voiced at pre-meeting.
Jets	No issues reported to date.	No Objections voiced at pre-meeting.
Utility Companies	No issues reported to date.	No Objections voiced at pre-meeting.

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	The proposed C-3 Limited Use Overlay District rezoning is consistent with the Future Land Use Plan. The site is ideal for redevelopment in the fashion that most of the sites in the general vicinity have been transitioned along Red Wolf/Stadium Blvd. near the old NEA Fairground site.	
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	The proposal is consistent with the purpose of Chapter 117, provisions for Limited Use Overlays.	
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	The proposal is substantially compatible with the development trends in the area. Although some of the surrounding property is zoned for residential use, a transition of the zoning and land use is occurring. Care should be taken to protect remaining residential uses.	
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;	Poor suitability due to the current 5-lane corridor of Red Wolf, has restricted a residential character from remaining. Housing stock is aging as well. This land is ideal for commercial mixed with transitional and residential uses having an efficient access management design.	
(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 bordering properties along Red Wolf are zoned C-3 and to the east primarily R-3 used as single family residential. Buffers should be maintained where most of the existing housing stock and residential properties exist.	
(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	Property is residentially used with the current R-3 zoning. A portion is stilled zoned as C-3 LUO but used as residential.	
(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	Minimal impact, however access management is very important.	

Record of Proceedings: MAPC Hearing held on Tuesday, August 26, 2014

Applicant: Mr. George Hamman of Civilogic Engineering stated that he prepared the rezoning plat and has read through the staff report and find that everything is in compliance with the land use plan and zoning regulations. Fair Cove site access was mentioned to minimize the impact on the residents: There is no access planned for Fair Cove.

Mr. Hamman: The developer proposes to put in some soft landscape screening along Fair Cove to buffer that area with a landscape area between them and the parking lots. There will be no buildings near the property line. For the other boundary lines abutting residential, they will put in privacy fencing or a hard visual barrier.

Public Input: No one present.

Staff:

Mr. Spriggs gave staff summary of the report for the 2.17 acres for the joint application between various property owners at the said location. The proposal does comply with the Master Street Plan as well as the Future Land Use Plan, for Planned Mixed Use Area (PMUA) for mixed commercial/ residential. They are requesting a change from a mix of R-3, Multi-family and C-3 L.U.O. During the pre-meeting there were no major concerns voiced by the public or agencies. Staff has listed the criteria for rezoning, and all of the questions are addressed and compliance is achieved.

Staff has listed a number of buffering and screening concerns of which were just addressed by the applicants. The five (5) conditions were read covering storm-water management, site plan requirement by the MAPC, access management, landscaping and screening, prohibited list of uses, and lighting.

Commission Action:

Motion was made by Ms. Nix that we place Case: RZ-14-13 on the floor for consideration of a 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-3” High Density Multi-Family Residential and C-3 L.U.O. to C-3 L.U.O. General Commercial is compatible and suitable with the zoning, uses, and character of the surrounding area; subject to the noted conditions. Motion was seconded by Mr. Hoelscher.

Roll Call Vote:

6-0 to Approve: Mr. Hoelscher- Aye; Ms. Nix- Aye, Mr. Kelton- Aye; Ms. Schrantz- Aye; Mr. Bailey- Aye; Mr. Perkins- Aye.

Mr. Lonnie Roberts was Chair; Absent were: Mr. Scurlock; Mr. Reese.

Staff Findings:

Applicant's Purpose:

The applicant is seeking to rezone approximately 2.17 acres for commercial purposes on the subject site. As noted in the **Criteria For Rezoning Section** above, consistency in the Future Land Use Plan as well as the general Zoning Regulations has been satisfied with the proposed change.

However staff cautions the MAPC to give care to the following.

Fair Cove- One half of street to remain Residential:

Coordination of site access and screening should be designed in such a way to minimally impact the residents to remain on said street. Coordinated access management design details shall be submitted by the applicant for MAPC review and approval for other abutting commercial/residential mixed-use properties in respect to protecting residential to remain.

Site Landscaping/Buffering/Screening: A detailed landscape, fencing and lighting plan shall be presented to the Planning Commission illustrating consideration and protection of abutting residential to remain.

Dimension Requirements Commercial and Industrial Districts

<i>Dimension</i>	<i>CR-1</i>	<i>C-4</i>	C-3	<i>C-2</i>	<i>C-1</i>	<i>I-1</i>	<i>I-1</i>
<i>Minimum lot size</i>							
Single-family (sq. ft.)	6,500	NP	NP	6,000	NS	NP	NP
Duplex (sq. ft.)	7,200	NP	NP	7,200	NS	NP	NP
Multifamily (area/family)	NP	NP	NP	3,600	NS	NP	NP
Nonresidential uses (sq. ft.)	6,500	6,500	6,500	6,500	NS	6,500	10,000
Minimum lot width (all uses)	50'	50'	50'	50'	25'	50'	100'
Minimum lot depth (all uses)	100'	100'	100'	100'	NS	100'	100'
<i>Street setback</i>							
Residential uses	25'	NP	NP	25'	NS	25'	NP
Nonresidential uses	25'	25'	25'	25'	NS	25'	100'
<i>Interior side setback</i>							
Residential uses	7.5'	10'	NP	10'	NS	10'	NP
Nonresidential uses	10'	10'	10'	10'	NS	10'	25'
<i>Rear setback</i>							
Residential uses	20'	20'	NP	20'	NS	20'	NP
Nonresidential uses	20'	20'	20'	20'	NS	20'	25'
Maximum lot coverage (all uses)	50%	50%	60%	50%	100%	60%	60%
Percent of total lot area (building floor area)	20	20	NS	20	NS	NS	NS

Note.

NP = Not permitted.

NS = No standard.

The

applicant has proposed a rezoning to C-3 L.U.O, and staff has listed the permitted uses to be allowed within the development as follows (Note the highlighted uses in yellow are to be prohibited due to adverse impacts):

List of Commercial Uses		C-3 General Commercial	List of Commercial Uses		C-3 General Commercial
<i>Civic and commercial uses</i>			<i>Civic and commercial uses</i>		
	Animal care, general	Permitted		Nursing home	Permitted
	Animal care, limited	Permitted		Office, general	Permitted
	Auditorium or stadium	Conditional		Parking lot, commercial	Permitted
	Automated teller machine	Permitted		Parks and recreation	Permitted
	Bank or financial institution	Permitted		Pawn shops	Permitted
	Bed and breakfast	Permitted		Post office	Permitted
	Carwash	Permitted		Recreation/entertainment, indoor	Permitted
	Cemetery	Permitted		Recreation/entertainment, outdoor	Permitted
	Church	Permitted		Recreational vehicle park	Permitted
	College or university	Permitted		Restaurant, fast-food	Permitted
	Communication tower	Conditional		Restaurant, general	Permitted
				Retail/service	Permitted
	Convenience store	Permitted		Safety services	Permitted
	Day care, limited (family home)	Permitted		School, elementary, middle and high	Permitted
	Day care, general	Permitted		Service station	Permitted
	Entertainment, adult	Conditional		Sign, off-premises*	Permitted
	Funeral home	Permitted		Utility, major	Conditional
	Golf course	Permitted		Utility, minor	Permitted
	Government service	Permitted		Vehicle and equipment sales	Permitted
	Hospital	Permitted		Vehicle repair, general	Permitted
	Hotel or motel	Permitted		Vehicle repair, limited	Permitted
	Library	Permitted		Vocational school	Permitted
	Medical service/office	Permitted		Warehouse, residential (mini) storage	Conditional
	Museum	Permitted	<i>Industrial, manufacturing and extractive uses</i>		
<i>Agricultural uses</i>				Freight terminal	Conditional
	Agriculture, animal	Conditional		Research services	Conditional
	Agriculture, farmers market	Permitted			

Conclusion:

The MAPC and the Planning Department Staff find that the requested Zone Change submitted for subject parcel, should be evaluated based on the above observations and criteria, of Case RZ 14-13, a request to rezone property from “R-3” High Density Multi-Family Residential and C-3 L.U.O. to C-3 L.U.O. General Commercial, and is hereby recommended to Council for approval subject to the following conditions:

1. That the proposed development shall satisfy all requirements of the City Engineer and all requirements of the current Stormwater Drainage Design Manual.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC prior to any development/phase of the subject property.
3. A final site plan showing coordination is required of all right of ways and egress/ingress with the State Highway Dept., M.P.O., City Engineering Dept. and the Planning Dept. Coordinated access management design details shall be submitted by the applicant for MAPC review and approval for other abutting commercial/residential mixed-use properties in respect to protecting residential to remain.
4. Prohibited uses shall be: Billboards, Convenience Store, Car Wash, Pawn Shop, Vehicle Repair - limited or general. Agriculture Farmers’ Market, Adult Entertainment, and Service Station.
5. A landscape/buffer screen shall be implemented to protect any residential to abut any future commercial uses.

Respectfully Submitted for Council Consideration,



Otis T. Spriggs, AICP, Planning & Zoning Director

Site Photographs



View looking south toward subject property fronting Red Wolf Blvd. from the northwest corner of subject property.



View looking north toward subject property fronting Red Wolf Blvd. from the southwest corner of subject property.



View looking northeast toward subject property fronting Fairview Drive from the southwest corner of subject property.



View looking west toward subject property fronting Fairview Drive from the southeast corner of subject property.



View looking northwest toward subject property fronting Fair Cove.



View looking north toward properties located on the east side of Fair Cove.



View looking west toward properties located on the south side of Fairview Drive.



View looking east toward properties located on the south side of Fairview Drive.



View looking southeast toward property located on the southeast corner of Red Wolf Blvd. and Fairview Drive.



View looking northeast toward property located at the northwest corner of the subject property

