

Application
for a
Zoning Ordinance Map Amendment

METROPOLITAN AREA
PLANNING COMMISSION
Jonesboro, Arkansas

Date Received: 11-17-08
Case Number: RZ-08-28

LOCATION:

Site Address: Addresses not yet assigned

Side of Street: North and East side of Christian Valley Drive
South and West side of Christian Valley Drive
West Side of Mt. Carmel Road

Quarter: Southwest **Section:** 1, **Township:** 14 North, **Range:** 3 East
Southeast **Section:** 2, **Township:** 13 North, **Range:** 3 East

Attach a survey plat and legal description of the property proposed for rezoning. A registered Land Surveyor must prepare this plat.

SITE INFORMATION:

Existing Zoning: R-1 **Proposed Zoning:** PD - MU (Planned Development - Mixed Use), including RM-16, C-3, LU, C-4, LU, and RS-4

Size of site (square feet and acres): 2,745,991 S.F.; 63.04 acres
Street Frontage (feet): 2,641' along the north and east side of Christian Valley Dr.
1,093' along the south and west Side of Christian Valley Dr.
496' along the west side of Mt. Carmel Road

Existing Use of the Site: One Single Family Residence

Character and adequacy of adjoining streets: Christian Valley Drive is a new three lane road with a center turn lane, constructed by the City of Jonesboro, which connects Lawson Road to Southwest Drive, and was constructed upon land donated to the City. The three lane road should easily accommodate the additional traffic generated by this proposal. Mt. Carmel Road is a paved two-lane street. The only portion of this proposed zoning classification that will have direct access to Mt. Carmel Road is that portion that is single family only.

VINEYARD DEVELOPMENT GROUP, LLC
REZONING APPLICATION
PAGE 2 OF 9

Does public water serve the site? Not currently.

VINEYARD DEVELOPMENT GROUP, LLC
REZONING APPLICATION
PAGE 2 OF 9

Does public water serve the site? Not currently.

If not, how would water service be provided? There is an existing 12" water main along the southeast side of Southwest Drive. An extension would have to be compelled to serve this site.

Does public sanitary sewer serve the site? Not currently.

If not, how would sewer service be provided? There is an existing sanitary sewer main along the southeast side of Southwest Drive that could be extended to serve this site.

Use of adjoining properties:

North:	Commercial C-4 and Residential R-1
South:	Residential R-1
East:	Residential R-1
West:	Residential R-1
Southwest:	Existing Church on R-1 property

Physical Characteristics of the site:

The site is comprised of gentle sloping land. It is primarily open land with several large trees scattered over the property. It primarily slopes gently to the south and west. The site contains one existing residence and some relatively mature vegetation. There is also a former location of a lake on the site. The development proposal includes a lake that would enhance the aesthetics, as well as serve as the primary storm water detention facility.

Characteristics of the neighborhood:

The surrounding area immediately to the east and west is residentially classified, but is not developed with significant density. To the north is undeveloped land. To the south there are a few existing homes. To the southwest is an existing church. Near the northwest corner of the site is a parcel of C-4 property.

Applications will not be considered complete until all items have been supplied. Incomplete applications will not be placed on the Metropolitan Areas Planning Commission agenda and will be returned to the applicant. The deadline for submittal of an application is the 17th of each month. The Planning staff must determine that the application is complete and adequate before it will be placed on the MAPC agenda.

REZONING INFORMATION:

The applicant is responsible for explaining and justifying the proposed rezoning. *Please prepare an attachment to the application answering each of the following question in detail:*

(1) How was the property zoned when the current owner purchased it?

The property was zoned R-1 when acquired.

(2) What is the purpose of the proposed rezoning? Why is the rezoning necessary?

Over the past several years the area around Valley View has experienced significant growth which has been assisted by the expansion and widening of Southwest Drive and with the recent completion of a three (3) lane thoroughfare connecting Lawson Road with Southwest Drive. This thoroughfare, Christian Valley Drive, "opens up" an area which is ripe for development for a variety of uses instead of its present singular zoning use. In this regard, the applicant is requesting a Classification of PD (Planned Development) which incorporates multifamily use, limited commercial use and single family uses. The entire area would be adaptable for multiple yet complimentary zoning needs.

With this PD zoning classification, this area can be developed in order to:

- A) Maximize the choice in the type of environment and living units available to the public;
- B) Create open space and recreational uses;
- C) Preserve natural features, prevent soil erosion, and protect water quality;
- D) Maximize, and yet at the same time, be creative in the effective use of the land so that a smaller network of utilities, roads, and other services will be used which ultimately lowers the costs for such services on the public and the service providers; and
- E) With such flexibility, the area can adapt to the needs of the public which gives the area stability for the future.

(3) If rezoned, how would the property be developed and used?

The property will be developed as a Planned Development incorporating multifamily use, limited commercial use, and single family uses.

(4) What would be the density of development (e.g. number of residential units; square footage of commercial, institutional, or industrial buildings)?

This is a proposed PD (Planned Development) Classification, including:

- RS-4: Single Family Development
To be developed to current RS-4 Standards and Specifications on approximately 22.29 acres.
- C-4: LU: Quiet Commercial Development
Maximum of 28 parcels on approximately 13.94 acres
- C-3: LU: Commercial Development
Maximum of 7 parcels on approximately 7.29 acres
- RM-16: Multi-family development:
Maximum of 278 residential units on approximately 19.5 acres

(5) Is the proposed rezoning consistent with the *Jonesboro Comprehensive Plan* and the *Future Land Use Plan*?

The proposed rezoning request is consistent with the Jonesboro Comprehensive Plan (the "Plan") in that the Plan recognizes the need for flexibility and establishes norms for certain types of uses. For example, all along the major arterial roads the Plan provides for those areas to be developed as Thoroughfare Commercial. Thus, as an area changes with the development of the infrastructure in that area - roads, utilities, etc. - it is clear that the Plan would permit changes in the permitted uses due to the upgrading/changes in the overall development of the area. At the time the Plan was drafted, it did not specifically contemplate or account for the construction of a three-lane thoroughfare (Christian Valley Drive) in that part of Jonesboro. However, the Plan did provide for the types of uses to which applicant desires in the case at hand in other areas of Jonesboro where similar infrastructure exists. Thus, to permit the rezoning request does not clash with and is consistent with the Plan.

(6) How would the proposed rezoning be in the public interest and benefit the community?

The proposed rezoning would allow the extension of utility and drainage infrastructure in compliance with the current standards and specifications of the City of Jonesboro, thereby providing increased property values in the general vicinity, as well as increased employment opportunities.

(7) How would the proposed rezoning be compatible with the zoning, uses, and character of the surrounding area?

As previously stated, the character of the surrounding area is currently undergoing change. The construction of Christian Valley Drive creates the opportunity for the area to be developed to provide more regionally accessible commercial products and services for the local residents of the area (and Jonesboro at large). Further, it permits the development of the area for different uses, thus, maximizing in potential for the area so that it will be stable as it will be able to support and facilitate growth as the area will not be dependent on just one use. Additionally, the proposed rezoning would be very compatible and complimentary to the existing uses and developments which are currently present in the area and particularly, at the intersection of Christian Valley Drive and Southwest Drive.

(8) Are there substantial reasons why the property cannot be used in accordance with the existing zoning?

The existing zoning of R-1 which specifically limits its use as single family dwellings. However, a portion of the property requested to be rezoned is located on both sides of a newly constructed three-lane thoroughfare which intersects with a major arterial road. Such a condition is not suitable for residential use where the occupants generally want to be able to enjoy their front and back yards and desire an area which is generally peaceful and quiet. On the other hand, the area is particularly suited for development with a mixture of uses, which permits the creation of areas for residences, combined with areas that can be developed to serve the residents. Such a concept is particularly attractive in reducing the amount of driving time (and fuel costs) for obtaining such services in relation to where a person lives.

(9) How would the proposed rezoning affect nearby property including impact on property value, traffic, drainage, visual appearance, odor, noise, light, vibration, hours of use or operation and any restriction to the normal and customary use of the affected property.

A) Property Values:

Based upon the planning and forethought for the area, this proposed mixed use request should increase property values as utility and drainage infrastructure are extended and developed by current standards. Further, with the mixed uses of the property, many of the daily living needs and services will be close at hand for the residents of the area. This should increase the desirability for residents to live in the area which in turn should increase property values. Additionally, with the close proximity of such services to where residents live, attend school, church and participate

VINEYARD DEVELOPMENT GROUP, LLC
REZONING APPLICATION
PAGE 6 OF 9

in other life functions the costs of living should be reduced, thus, making the area even more desirable for businesses as well as residents, which, again, should translate into increased property values.

- B) Traffic:**
The construction of Christian Valley Drive should accommodate the needs generated by this request.
- C) Drainage:**
When and if the proposed zoning classification is granted, the development of the property would be in compliance with the current standards and specifications at the time of development. The use of the former existing lake as an aesthetic feature and storm water detention facility should enhance the area, and circumvent downstream increases in drainage flow rates.
- D) Visual Appearance:**
There is currently one residence on the property. The development of the site is intended to create an aesthetically pleasing visual appearance.
- E) Odor:**
The selected permitted uses as listed, do not have any inherent odors associated with them.
- F) Noise:**
The selected permitted uses as listed, do not have any inherent, extraordinary noise associated with them.
- G) Light:**
The selected permitted uses as listed, do not have any inherent burdens of light associated with them.
- H) Vibration:**
The selected permitted uses as listed, do not have any inherent vibration associated with them.
- J) Hours:**
The selected permitted uses as listed, do not have any inherent unusual hours of operation associated with them.
- K) Restrictions:**
The selected permitted uses as listed, do not restrict any existing surrounding uses.

(10) How long has the property remained vacant?

The property contains one residence, and a former location of a lake. Otherwise the land is undeveloped. The intent is to reconstruct the lake, and utilize the natural topography to accomplish both aesthetics and drainage control facility.

(11) What impact would the proposed rezoning and resulting development have on utilities, streets, drainage, parks, open space, fire, police, and emergency medical services?

- A) Utilities:** There will be extensions of the existing utilities to serve this site. Water, sewer, and electrical extensions will have to be approved by Jonesboro City Water and Light prior to the commencement of construction.
- B) Streets:** The construction of Christian Valley Drive should accommodate the increase in traffic anticipated in association with the proposed development.
- C) Drainage:** Redevelopment of the site will be in compliance with the current standards being utilized as the development guidelines. Drainage considerations will necessarily include proper storm water management.
- D) Parks:** This proposed rezoning should have no impact on the City's existing parks. Considerations will be included regarding bike paths and green-ways.
- E) Open Space:** The requested mixed use classification will be in compliance with the current standards.
- F) Fire:** The development of the site will include new construction by current standards, providing more modern building techniques and materials, thus lowering the demands of fire protection.
- G) Police:** No impact on the police protection in the area is anticipated.
- H) Emergency Medical Services:**
No impact on the emergency medical services in the area is anticipated.

(12) If the rezoning is approved, when would development or redevelopment begin?

It is expected that a portion of the development will begin very soon after the approval of the zoning classification. The development of a tract with mixed uses will be strongly dependent upon the current real estate market and economic conditions.

- (13) **How do neighbors feel about the proposed rezoning? Please attach minutes of the neighborhood meeting held to discuss the proposed rezoning or notes from individual discussions. *If the proposed rezoning has not been discussed with neighbors, please attach a statement explaining the reason. Failure to consult with the neighbors may result in delay in hearing the application.***

The applicant has yet to formally discuss the proposal with area neighbors although some preliminary discussions have taken place with individuals and businesses in the general area. Presently, the area is sparsely populated and lacks any defined neighborhoods. In these preliminary discussions, no one has voiced opposition regarding this request.

- (14) **If this application is for a Limited Use Overlay (LUO), the applicant must specify all uses desired to be permitted.**

This requested zoning classification is intended to be of mixed uses. The proposed permitted and prohibited uses for each classification are listed below.

RS-4: Single Family Development:

Minimum Lot size 10,890 S.F.

RM-16: Multi-family Development:

Maximum of 278 units on approximately 19.52 acres

C-4; LU: Quiet Commercial Development:

All uses permitted by the Jonesboro Zoning Ordinance except:

Prohibited Uses:

Entertainment, Adult

Golf Course

Hotel or Motel

Parking lot, Commercial

Pawn Shops

Recreational Vehicle Park

Signs, Off Premise

Vehicle Repair, Limited

C-3; LU: Commercial Development:

All uses permitted by the Jonesboro Zoning Ordinance except:

If used for Agricultural (farmers market) the facility shall be enclosed.

Prohibited Uses:

Cemetery

Entertainment, Adult

Golf Course

Hotel or Motel

Parking lot, Commercial

Pawn Shops

Recreational Vehicle Park

Signs, Off Premise

Vehicle and Equipment Sales

Vehicle Repair, General

Vehicle Repair, Limited

Mini-warehouse, residential

Freight Terminal

Agricultural, animal

VINEYARD DEVELOPMENT GROUP, LLC
REZONING APPLICATION
PAGE 9 OF 9

OWNERSHIP INFORMATION:

All parties to this application understand that the burden of proof in justifying and demonstrating the need for the proposed rezoning rests with the applicant named below.

Owner of Record:

I certify that I am the owner of the property that is the subject of this rezoning application and that I represent all owners, including spouses, of the property to be rezoned. I further certify that all information in this application is true and correct to the best of my knowledge.

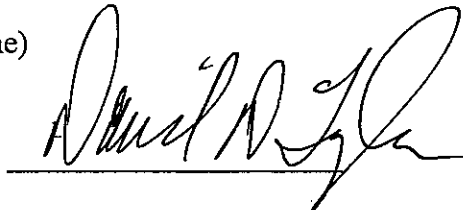
Applicant:

If you are not the Owner of Record, please describe your relationship to the rezoning proposal:

VINEYARD DEVELOPMENT GROUP, LLC
REZONING APPLICATION
PAGE 8 OF 8

The owner of the property is Vineyard Development Group, LLC.
Manager for Vineyard Development Group, LLC:

Mr. David Tyler
407 South Main
Jonesboro, AR 72401
(870) 972-5440 (Phone)
(870) 972-1270 (F)



Deed: *Please attach a copy of the deed for the subject property.
Applications will not be considered complete until all items have been supplied.
Incomplete applications will not be placed on the Metropolitan Areas Planning
Commission agenda and will be returned to the applicant. The deadline for submittal of
an application is the 17th of each month. The Planning staff must determine that the
application is complete and adequate before it will be placed on the MAPC agenda.*