

*City of Jonesboro City Council*  
**Staff Report – RZ09-16: Coleman/Caldwell Rezoning**  
**Huntington Building - 900 W. Monroe**  
*For Consideration by the Council on September 15, 2009*

**REQUEST:** To consider a rezoning a parcel of land containing 11.01 acres more or less (479449.20 sq. ft.).

**PURPOSE:** A request with recommendation to Council for a rezoning from Agriculture AG-1 to RS-6 Single Family Residential, L.U.O. at 4 units per acre.

**APPLICANT:** Carroll Caldwell, 2704 S. Culberhouse Rd., Jonesboro, AR.  
**OWNER:** Troy Coleman, 107 Joe Martin’s Exprwy., Bono, AR 72416

**LOCATION:** Kathleen St. and Pacific Rd., Jonesboro, AR 72401

**SITE DESCRIPTION:** Tract Size: 11.01 acres +/- (479449.20 sq. ft.).  
 Frontage: Approx. 754.15’ along Kathleen St., 249.03’ along Pacific Rd.  
 Topography: Flat  
 Existing Dvlpmt: Farm land

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

**HISTORY:**  
**RZ 06-20:** 28.76 acres from Ag-1 to R6 L.U.O. Multi-family; Approved by Council  
**RZ 06-27:** 126.64 acres from AG-1 to R6 Multi-family- Case withdrawn prior to potential denial.  
**RZ 06-29:** 38.77 acres from AG-1 to R6 L.U.O. - MAPC recommended to the City Council changing the zoning to R-2 LUO at 8 units per acre with the R-6 stipulations. Case denied by Council 2/6/07.

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

This area is surrounded by Agricultural land and single family residential lots. The proposed use will be comparable to the surrounding area.

**COMPREHENSIVE PLAN FUTURE LAND USE MAP**

The 1996 Comprehensive Plan Future Land Use Map which is outdated shows the area recommended as Planned Industrial. This designation typically includes new and existing industries in a clustered/industrial park setting. Industries of a light, medium and heavy intensity may be permitted subject to specific environmental requirements and non-industrial use proximity requirements. (This classification generally corresponds to the current I-2 General Manufacturing District).

This area is under restudy by the Land Use Advisory Committee, and updates are forthcoming for adoption

in the very near future. The site is situated on a two lane road, and is across from the airport. The current proposal illustrates Planned Mixed Use Area. Staff anticipates the recommendation for a mixed use area to be allowed contingent upon arterial upgrades in the project area.

**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.

**MAPC RECORD OF PROCEEDINGS- September 8, 2009:**

*RZ-09-17 RZ 09-16 Troy Coleman requests rezoning from AG-1 (Agricultural District) to RS-6 LUO (Single Family Residence)*

**Applicant:**

*Mr. Carroll Caldwell presented the case: This is a single family development. It is kind of misleading with the RS-7 you can only get 4 houses per acre with the streets; we are willing to drop it to a RS-6 Zoning.*

**Opponents:**

*Ms. Jennifer Easley, 5910 Pacific- She presented photos and a petition to the MAPC. The first picture is looking north, showing utilities on the right side of the road and the railroad tracks are there; and there is no way to expand that road. It cannot accommodate 50 or 70 houses. She showed a picture of the roadway on Pacific; stating that the asphalt is crumbling, with a privately maintained ditch that is grown up and full of weeds. The third page is the one quad-plex that was moved into our neighborhood. It was already zoned R-2. The unit is still unlivable. We are told it is in foreclosure.*

*Ms. Easley stated that they manage to let the 27 acres to the south, be rezoned as R-6 and get approved. He is asking \$970,000 for that land; he never mows it. We are afraid that all this gentleman will do is put this land up for sale. There is not sewer, it is a mile away. The traffic is an issue; walking is not safe. This gentleman doesn't live in our neighborhood. I have a house on 10 acres. Our family has 120 acres on Pacific Road. We have a long term investment there. He is there for monetary reasons/financial gain. There is no developer; we fought this two years ago. If he had a plan that we could look at, and discuss our concerns it would be better.*

*Mr. Lesley Warr, lives on Commerce and Pacific. We met with the mayor's office two years ago. It was non-negotiable. They said it wasn't feasible to do anything less than 7 houses per acres. We are concern with the traffic with the shift changes; and the traffic is lined up. Everyone is concern with traffic safety.*

*There is 11 acres on the north end, with 27 acres on the south. In between there is another 39 acres that can come back in for rezoning. We want to make sure you are aware of that.*

**Staff:**

*Mr. Spriggs gave staff comments. Previously this triangular site has been before the MAPC in 3 cases: R6 L.U.O. for 27 areas was approved for multi-family. The entire property being 127 acres has been proposed as different uses. Such as R-6 Multi-family. Council denied the last proposal and it went to litigation. This proposal is to entertain single family homes. The previous submittal was for 7- units per acre. They are resulting to 4-units per acres.*

*We are anticipating the Master Street Plan adoption and Kathleen St. has acted as a collector road and has functioned as such. There is an arterial proposed on Commerce Drive that will alleviate the problems now occurring on Kathleen Street.*

*We provided the standards for the RS-7 District; now the RS-6 regulations will be utilized.*

*Mr. Halsey asked in terms of the road widening as a collector road; has that been considered for this request?*

*Mr. Spriggs stated in the previous case it was discussed and the owner at that time agreed to participate in dedicating necessary right of way, if it were approved; to deal with the access issues and pedestrian concerns. We can discuss that with the current owner.*

*Mr. Kelton asked if the ditches were privately maintained as stated by the opposition. Mr. Spriggs stated that because they are not major drainage channels they are probably are not regularly maintained by the City. It is public right of way.*

*Mr. Spriggs stated that a limited use overlay would have to be in place in order to entertain any conditions. This is a request for 4 units per acres as a single family use. Rarely do you see this type of low density in most of our residential areas.*

*Mr. Day asked about the right of way dedication as agreed by the previous owner.*

*Mr. Caldwell stated he was not involved a year or two ago with that other deal. This is a different development. We will do the right of way on the site development and we will do the Limited Use Overlay.*

*Mr. Tomlinson stated that it is unclear where the railroad right of way ends. Mr. Caldwell stated that it is 15 or 20 feet on Kathleen and not that much less on Pacific.*

*Mr. Warr stated that the Land Use considered this a low density area. We never got a definition of it and because of proximity to the railroad. Mr. Day stated that they are proposing 4 –house/ per acres development. You are thinking of 3 acre lots, and perhaps you are thinking of an agricultural zoning. What he is looking at is more or less like Candlewood Subdivision and it is on the lower end of density.*

*Mr. Day: We are concerned for the traffic safety. The developer's representative suggested that they are happy to donate the right of way to improve the road. The Council will ultimately decide on the zoning change and they will have to decide on when to pay the money to improve the traffic situation.*

*Ms. Jennifer Easley asked if Mr. Coleman owned all of the 120 acreage. We would have to have Mr. Coleman give permission to have all of that right of way dedicated. That's not a very big stretch of land.*

*Mr. Spriggs clarified that the minimum right of way for Kathleen (being a collector road) is 80 feet and the proposed land use map (not adopted) has highlighted this site as PMUA, planned mixed use area which is a mixture of residential, commercial, and office. We will have one additional meeting to pull any Land Use modifications together, then the Land Use Plan will go into public hearings for adoption.*

*Mr. Halsey made a motion to rezone the property to RS-6 L.U.O. Single Family, 4 units per acre. The applicant has given verbal agreement (not required) to dedicate right of way to accommodate future improvements to Kathleen St.*

*Motion was 2<sup>nd</sup> by Mr. Kelton; Roll Call: Ms. Norris- Aye; Mr. Halsey- Aye; Mr. Tomlinson-- Aye; Mr. Dover- Aye; Mr. Kelton- Aye; Mr. Roberts- Aye.*

**Findings:**

The subject area lies within a transitional area which is adjacent to an industrial core area, with a combination of Agricultural land, Single Family and "R-2" Low Density. The "RS-7" Single Family District requires 6,222 s.f. per dwelling unit, with a required 20 ft. front yard setback; a 20 ft. rear yard setback and a minimum 7.5 ft. side yard setback. This district is equivalent to what now surrounds this area- R-1 Single Family Residential.

Kathleen Rd. currently functions as a collector road, and the proposed Master Street Plan designates it as such. The minimum right of way width for a collector road is 80 ft. which could allow for much needed shoulder area, if not sidewalks for such a corridor. Under the existing road conditions, access management may become an issue if the future arterials such as Commerce Drive improvements are not implemented prior.

**Conclusion:**

The MAPC and the Planning Department Staff find that the requested Zone Change submitted by Carroll Caldwell, should be approved based on the above observations and criteria, of Case RZ09-16, a request to rezone property from AG-1 to RS-6, Single Family Residential District L.U.O., 4 units per acre, and recommended to the City Council.

Respectfully Submitted for Council Consideration,

Otis T. Spriggs, AICP  
Planning & Zoning Director

# Site Photographs



View of the airport to the west of the site.



View looking Northeast towards site.



View looking Northeast towards the site.



View of the property to the east.



View looking west along Pacific Rd.



View looking east away from the site.



View looking south at the project site.