



City of Jonesboro City Council
Staff Report – RZ07-27: CamTri Ross Investments, Inc.
Huntington Building - 900 W. Monroe
For Consideration by the Council on Tuesday July 17, 2007

REQUEST: To consider rezoning a parcel of property containing approximately 6.74+/- acres more or less.

PURPOSE: A request to recommend approval to Council by the Metropolitan Area Planning Commission for rezoning of C-3 Commercial to CR-1 LUO (Commercial and Residential Mix) with stipulations.

APPLICANT: CamTri Ross Investments, Inc., 3796 FM 306, New Braunfels, TX 78132

OWNER: CamTri Ross Investments, Inc., 3796 FM 306, New Braunfels, TX 78132

LOCATION: Latourette Dr. between Medallion Circle and South Caraway Rd

SITE DESCRIPTION:

Tract Size:	Approx. Tract 1: 2.41 acres; Tract 2: 4.33 acres.
Frontage:	Approx. Tract 1 - 670 ft. on Latourette, Tract 2 – 1080 ft. on Latourette
Topography:	Flat
Existing Dvlpmt:	Undeveloped

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
North:	R-3, C-3	Multi-Family, undeveloped
South:	R-1/C-3	Commercial
East:	C-3	Commercial, Undeveloped
West:	C-5/R-3	Multi-Family, Residential

HISTORY: Previous petitions have occurred on this property including an Ordinance denying a request for a change to C-5 by Council on July 6, 2004; Property was subject to a lawsuit for Multi-family Residential R-3 zoning; a petition for C-5 was denied again in January 16, 2006, by Council, while reconsidered in March 7, 2006, and denied again. The case was withdrawn from the May 8, MAPC Agenda and was resubmitted after modifications were made to the last plan. This item was tabled at the last MAPC meeting.

MAPC Minutes: July 10, 2007

Don Parker came forward as proponent for this item. The request is for rezoning of 1/3 of 2 commercial lots to CR-1 LUO with the multi-family development density to the greater of 10 units per acre or 4 units per lot. We are discussing with the City the donation of about 3 acres for a City park.

Curtis Shatley, 1341 Medallion came forward as opponent for this item. His concern was criminal activity, traffic and accidents.

John Fowler, 1201 Medallion Drive. He was also concerned about criminal activity, traffic and accidents.

Gary Clairday, 1300 Lakewood Drive came forward with the concerns regarding traffic and accidents.

Judy Johnson, 1208 Medallion Drive asked about the park area of whether this would be an additional park or a replacement park for Pop-Strickland Park. The parks department would be the one to decide about the land for park use.

City planner stated that a revised staff report had be submitted to the commissioners. Staff would support the commission's negotiation to limiting those lots to a lower density as described in the staff report.

Mr. Harpole made a motion with the stipulation that the multi-family residential not extend further east of the subject site and that the density be no more than the greater of 10 units per acre or 4 units per lot as stated in the staff report. (Measure passed with a 6 to 0 vote)

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

COMPREHENSIVE PLAN FUTURE LAND USE MAP

The 1996 Comprehensive Plan Future Land Use Map (page 24) shows the area recommended as Thoroughfare Commercial. This designation includes new and existing major thoroughfare strips of neighborhood or community type and scale. This area is pending a restudy on the land use map by the Land Use Advisory Committee. Pertinent Zoning Ordinance sections include Section 14.44.05(b), 'change in District Boundary', beginning on page 104.

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.

Findings:

According to Section 14.20.02 of the Zoning Resolution, CR-1 Commercial Residence Mixed Use District (formerly C-5) shall be classified as a transitional zoning classification for mixed-use type developments. It allows commercial development, with a residential appearance, and professional uses to be completed in areas between existing commercial more of a retail nature, and single family residential. By definition it represents transition. Therefore, the logical conclusion would be that a transitional use, such as “quadraplexes” shall be permitted in this district with commercial below or coordinated to blend or relate. *Site plan review shall be subject to Planning Commission review and administrative approval upon Commission recommendation.*

The applicant proposes to mix residential with commercial within this western phase of the commercial subdivision. While this area has been petitioned for previous request for rezonings in the past, much deliberation has been had on potential additional multi-family that can occur on the subject acreage and its impact on the single family residential neighborhood to the immediate west of this site accessed on Medallion Circle.

Under the CR-1 Commercial Residential Districts there is no mechanism for limiting the percentage of the residential nor the commercial uses outside of placing a limited use overlay with the CR-1 requests. Staff will supports the CR-1 LUO now that the Commission has placed a maximum percentage of multi-family/residential units allowed within the development to assure a quality mixed development that provides a transition and not an adverse impact on the residential housing stock to the west.

After much deliberation the applicant has modified the original request to reflect a CR-1 Limited Use overlay placing the attached residential to the far west with a limitation of 10 units per acre or 4 units per lot.

Conclusion:

The Planning Department staff finds that the requested Zone Change submitted by CamTri Ross Investments, Inc., should be reviewed based on the observations above. In the Case of RZ-07-27 a request to rezone property from C-3 to CR-1 LUO Commercial Residential should be recommended to the Jonesboro City Council for approval as a CR-1 LUO Commercial Residential District Limit Use Overlay with the stipulation that the multi-family residential not extend further east of the subject site and that the density be no more than the greater of 10 units per acre or 4 units per lot.

Respectfully Submitted for Council Consideration,

Otis T. Spriggs, AICP
Planning & Zoning Director

SITE PHOTOGRAPHS



View looking South



View looking North



View looking south



View of the site looking to the east