



City of Jonesboro City Council
Staff Report – RZ 13-02: K&G Properties – Planned District
Huntington Building - 900 W. Monroe
For Consideration by the Council on February 19, 2013

REQUEST: To consider a rezoning of a parcel of land containing 3.0 acres more or less.

PURPOSE: A request to consider a recommendation to Council for a rezoning from C-3 General Commercial to a Planned Development District, “PD-R” District, for single family detached landminium units.

**APPLICANT/
OWNER:** K and G Properties, LLC, 6161 Castleton Cove, Olive Branch, MS 38654

LOCATION: South Side of Macedonia Road, East Side of Highway 351; located north of the entrance way to Sage Meadows Subdivision/Sage Meadows Boulevard.

SITE DESCRIPTION: **Tract Size:** Approx. 130,688.9 S.F. – 3.00 Acres
Frontage: Total of 221.40’ along Macedonia Road, 482.75’ along Highway 351
Topography: The site has topographic relief, and drains generally to the west, toward Highway 351. There is existing grassy vegetation on the majority of the site.
Existing Development: The site is currently vacant.

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
North:	R-1	Sparse single family development (Outside City Limits)
South:	C-3	Industrial Use
East:	C-3	(RS-8 requested)
West:	R-1, R-3	Highway 351, and unincorporated Craighead County – currently appears to be primarily agricultural uses.

HISTORY:

On February 9, 2000, The Metropolitan Area Planning Commission ("MAPC") approved a Planned Unit Development overlay on the property (PUD 99-02).

No development of the PUD had occurred, nor have there been any building permits issued, in the eight (8) years since the final plan for the PUD was approved on or about February 9, 2000, and no extensions have been granted.

The MAPC recommended that said PUD approval be revoked and the lands revert to the original C-3 commercial use classification. JG Properties, LLC, joined in the recommendation of the MAPC and requested that the City Council repeal and revoke the previous approval of the PUD.

City Council, under Ordinance 08:057 reverted the property back to C-3 General Commercial.

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 Medium Density Residential. While the Land Use Plan recommends this site for future uses as single family, recent rezoning/reverting of the subject property to C-3 General Commercial prompts further study of the adopted Land Use Map.

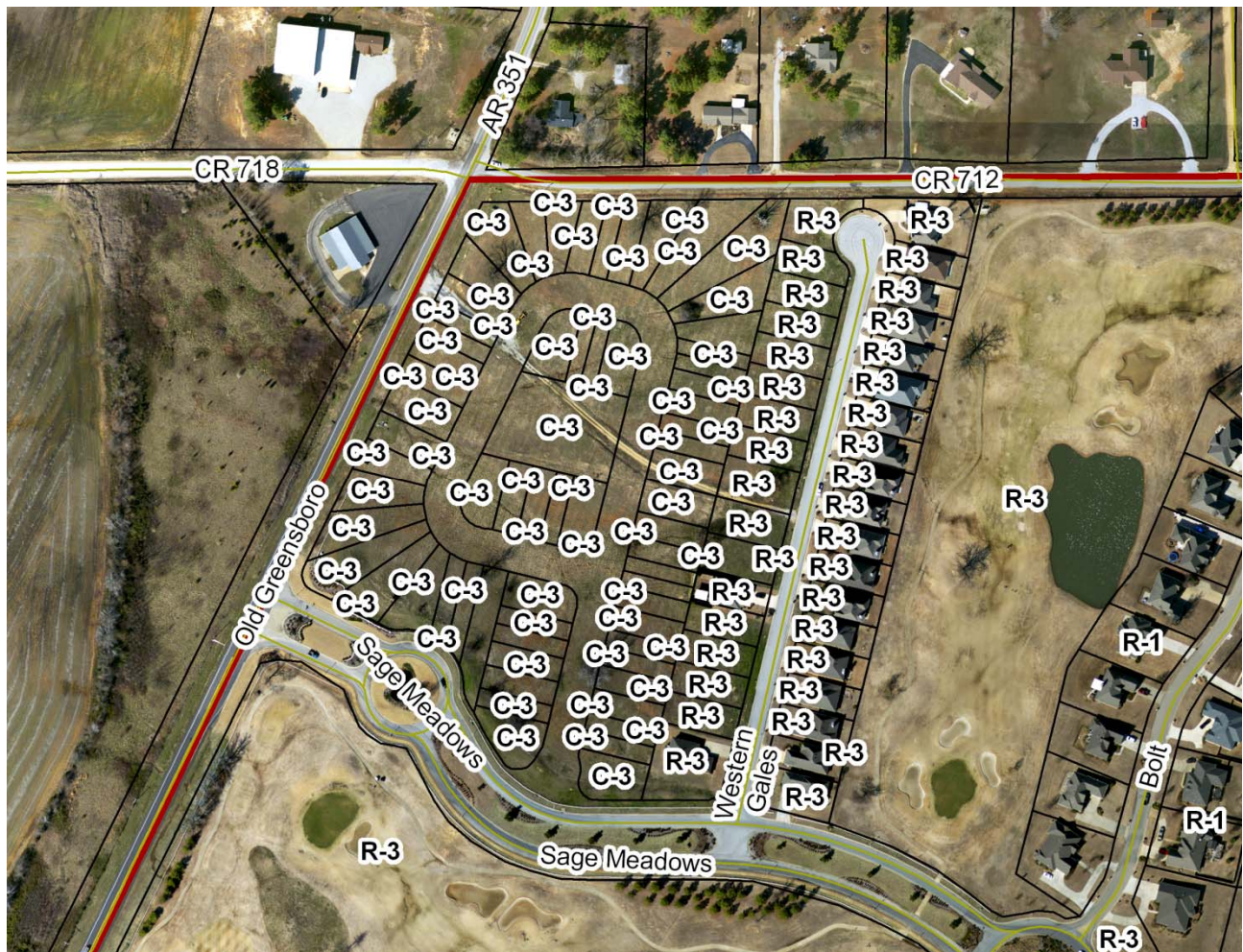
This petition for rezoning is currently consistent with the Land Use Plan.

Approval Criteria Checklist- Section 117-34- 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 list. Staff has reviewed each and offers explanations and findings as listed in the rezoning checklist below:

Criteria	Consistent (Yes or No)	Explanation
(a) Consistency of the proposal with the Comprehensive Plan	Yes- Land Use Comp. Plan Adoption Pending	See Land Use Section Above.
(b) Consistency of the proposal with the purpose of the zoning ordinance.	No plan proposed at this time. Consistent with immediate housing to the direct east (Western Gales Dr.).	
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area;	No plan proposed at this time. Consistent with immediate housing to the direct east (Western Gales Dr.).	
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;	Yes it is suitable for 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;	No detriment.	

<p>(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</p>	<p>Property has never been developed. Originally rezoned for multi-family under a PUD that expired; then later reverted back to C-3.</p>	
<p>(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.</p>	<p>Applicant states no major impacts. Access management should be coordinated.</p>	



Vicinity/Zoning Map

MAPC RECORD OF PROCEEDINGS: Public Hearing held February 12, 2013

Applicant:

Mr. Kessinger, Member of K and G Properties, LLC, presented the case before the MAPC, noting that this request is located on the NW corner of Macedonia and Hwy. 351 on three (3) acres. The request is to rezone to a Planned District (PD-R) Residential District. This approach is what makes sense the most. You cannot build large homes on this tract. Condominiums will be located just off of Hwy. 351 with one access that will split off to the C-3 General Commercial tract.

Mr. Kessinger noted that his company builds these condominiums all over the mid-south area in Mississippi.

Staff:

Mr. Spriggs gave staff comments and a summary of the Staff Report. Noting the history of the case: City Council, under Ordinance 08:057 reverted the property back to C-3 General Commercial. He also noted that the original PUD was approved for attached condominiums originally. The applicant wants to develop the property with a private drive access and also construct stand alone/self-contained single family structures. Mr. Kessinger concurred.

The definition of *Landominiums* was explained as built in other parts of the country (as defined in the Staff Report).

The MPO, Director reviewed the proposal and stated no opposition, but suggested an outlet on Macedonia with possible connection to Western Gales Drive, with the one connection to Sage Meadows Blvd. No other objections were submitted by other departments or agencies. The conditions were read.

The subject site is served by Macedonia Road (Principal/major Arterial); and Hwy. 351 (Minor Arterial) on the Master Street Plan. The proposed right-of-way is noted as 60 ft. from the center line of Sage meadows Blvd. and 40 ft. from Hwy. 351. Principal Arterials require a 120 ft.; and, Minor Arterials require a 100 ft. right-of-way, by which the proposed is less in both instances.

Public Input:

No other input received. The submitted letter from the P.O.A. was recognized.

Commission Action:

Motion as made by Mr. Scurlock, to approve the zoning request subject to Staff conditions and make recommendation to City Council for approval; Motion was seconded by Mr. Kelton. Motion carried with the following vote:

Mr. Scurlock- Aye; Mr. Tomlinson- Aye; Ms. Elmore- Aye; Mr. Hoelscher- Aye; Mr. Kelton- Aye; Mr. Rees- Aye; Ms. Nix- Aye. Absent: Mr. Dover. 7-0 in favor.

Findings:

Master Street Plan/Transportation

The subject site is served by Macedonia Road (Principal/major Arterial); and Hwy. 351 (Minor Arterial) on the Master Street Plan. The proposed right-of-way is noted as 60 ft. from the center line of Sage meadows Blvd. and 40 ft. from Hwy. 351. Principal Arterials require a 120 ft.; and, Minor Arterials require a 100 ft. right-of-way, by which the proposed is less in both instances.

Zoning Code Compliance Review:

The applicant is requesting that 16 units per acre be approved. The applicant is marketing “landominium” style detached single family units for the subject 3 acre tract of land.

Definition of “Landominium”

A type of residential property in which the owner owns both the home and the land on which the home is built. The home is a part of a community, like a condominium, where the landscaping, maintenance and other services are provided by a homeowners' association. Although the City of Jonesboro Code of Ordinances do not define the term, it is used in other parts of the country. The style of home will closely replicate the homes directly east on Western Gales Dr. of which the lots were reduced in size do to R-3 Zoning District regulations, and the setbacks being reduced to 5 ft. in the side yard. Most *Landominium* lots have zero-lot-line restrictions.

The application lacks details of a proposed layout. This is needed to verify that requirements such as the 20% common open space required for planned developments with all residential dwelling units is adhered to. Other details such as storm water detention or retention and private street layout should be demonstrated by the applicant.

Department/Agency	Reports/ Comments	Comments
Engineering	No objection	Right of Way Dedications
Streets/Sanitation	No objection	No comments to date
Police	No objection	No comments to date
Fire Department	No objection	No comments to date
MPO	No Opposition	Suggested an outlet on Macedonia with possible connection to Western Gales Drive, with the one connection to Sage Meadows Blvd.
Utility Companies	No comments	No comments to date

Conclusion:

The MAPC and the Planning Department Staff find that the requested Zone Change submitted by K and G Properties, LLC should be evaluated based on the above observations and criteria, of Case RZ 13-02 noted above, a request to rezone property from “C-3” General Commercial District to “PD-R”, 16 Units per acre. As noted in the record of proceedings, this case is recommended to Council for approval based on the following conditions:

1. That the proposed development shall satisfy all requirements of the City Engineer, satisfying all requirements of the current Stormwater Drainage Design Manual.
2. That a preliminary and final site development plan be submitted and reviewed by the MAPC prior to any future redevelopment of the proposed site as required by Planned District Developments.
3. The applicant agrees to comply with the Master Street Plan recommendations for the Macedonia Rd. & Hwy. 351 right-of-ways.
4. The use of this district shall be limited to detached single family units.
5. The applicant shall provide 20% common open space for the PD-R District.

Respectfully Submitted for Council Consideration,



Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



View looking West of Site



View looking North from Church Entrance at intersection of Macedonia & Hwy #351



View looking North from Church Entrance at intersection of Macedonia & Hwy #351 (Site on Right)



View looking south along Hwy. 351 Site on left



View looking east at site from Hwy. 351



View looking east at site from Hwy. 351



View looking west from Western Gales Dr. (Site in background)



View looking Northwest from Gales Dr. (Site in background)



View looking north on Western Gales Dr.



View looking west on Sage Meadows Blvd. towards main entrance



View looking west on Sage Meadows Blvd. towards main entrance



View looking Northeast towards Sage Meadows main entrance (Site in Background)



View looking North along HWY 351 frontage at the Sage Meadows main entrance (Site in Background)