



*City of Jonesboro City Council*  
**Staff Report – RZ 15-14 1110 Belt Street Rezoning**  
**Municipal Center- Council Chambers – 300 S. Church St.**  
*For Consideration by the Council on Tuesday, September 15, 2015*

**REQUEST:** To consider a rezoning of the land containing 1.22 acres more or less.

**PURPOSE:** A request to consider recommendation to Council for a rezoning from “R-1” Single Family Residential District to “RM-12” LUO (Maximum of 10 Units).

**APPLICANTS/  
OWNER:** Marque Mealing, 2003 Greensboro Rd., Jonesboro, AR

**LOCATION:** 1110 Belt Street, Jonesboro, AR 72401

**SITE  
DESCRIPTION:** **Tract Size: 1.22 Acres.**  
**Street Frontage: 198.74’ along Belt Street**  
**Topography: Slightly sloping/Grade Change at Street Frontage.**  
**Existing Development: Formerly Single Family Home demolished.**

<b>SURROUNDING</b>	<b><u>ZONE</u></b>	<b><u>LAND USE</u></b>
<b>CONDITIONS:</b>	North: R-1	Vacant Residential
	South: R-3/I-1	Residential/Multi-family
	East: R-1	Single Family
	West: I-1	Commercial Facility

**HISTORY:** None.

**ZONING ANALYSIS**

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

**COMPREHENSIVE PLAN FUTURE LAND USE MAP**

The currently adopted Land Use Plan recommends the current site as Moderate Intensity Growth Sector.










**Master Street Plan/Transportation**

The subject property is served by Belt Street on the Master Street plan, which is classified as a Collector Road, which requires a 40 ft. right-of-way to road centerline (80 ft. total right-of-way). Such right-of-way distance is not clearly depicted on the rezoning plat filed. Compliance must be achieved. Note that the property was never platted. A plat must be filed for any redevelopment.

**Approval Criteria- Chapter 117 – Amendments-**

The criteria for approval of a rezoning are set out below:

<b>Criteria</b>	<b>Explanations and Findings</b>	<b>Comply Y/N</b>
(a) <b>Consistency of the proposal with the Comprehensive Plan/Land Use Map</b>	The proposed RM-12, District rezoning will be consistent with the Future Land Use Plan, if it is developed at a density of 8 dwelling units per acre or less as duplexes, tri-plexes or four-plexes. RM-8 would be more appropriate.	
(b) <b>Consistency of the proposal with the purpose of Chapter 117-Zoning</b>	The proposal achieves consistency with the purpose of Chapter 117, as a Limited Use Overlay. The applicant proposes an ultimate build out of 8-9 units per acre; this could gross 10 units approximately.	
(c) <b>Compatibility of the proposal with the zoning, uses and character of the surrounding area</b>	Compatibility would only be achieved if the property is developed at a low intensity comparable to the surrounding single family homes.	
(d) <b>Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment</b>	Suitability is not an issue if development controls are in place to deal with buffering, screening, and access management.	
(e) <b>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.</b>	The applicant has stated that there would be no negative impact on nearby property. The impact on odor, noise light, vibration would be very minimal since it is a continuation of adjacent site’s zoning.	
(f) <b>Length of time the subject property has remained vacant as zoned, as well as its zoning at the time of purchase by the applicant.</b>	The property is now vacant land formally a single family home.	
(g) <b>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.</b>	Minimal impacts, utilities are present.	

**Staff Findings:**

The applicant proposes to provide for a maximum build-out of approximately 10 apartment units on 1.22 acres; no proposed layout has been presented, nor has a Limited Use Overlay been requested. After further review of the application details and coordination with the land use plan, this area is recommended as Moderate Intensity, which would limited the land to a maximum of 8 dwelling units per acre (RM-8). This would result in 9.76 units not quite 10 units as proposed.

The pre-existing R-1 Single Family District (5.6 units per acre) would have provided for perhaps 3 homes if the lots could be configured to satisfy lot/bulk requirements.

<i>Zoning Classification</i>	<i>Minimum Lot Width (in feet)</i>	<i>Minimum Lot Area</i>	<i>Front Setback (in feet)</i>	<i>Rear Setback (In feet)</i>	<i>Side Setback (in feet)</i>
RM-4	50	10,890s.f. per dwelling unit	20	15	7.5 each
RM-6	60	7,260s.f. per dwelling unit	20	15	10.0 each
<b>RM-8</b>	<b>70</b>	<b>5,445s.f. per dwelling unit</b>	<b>25</b>	<b>20</b>	<b>10.0</b>
<b>RM-12</b>	<b>80</b>	<b>3,630s.f. per dwelling unit</b>	<b>25</b>	<b>20</b>	<b>15.0</b>
RM-16	80	2,722s.f. per dwelling unit	25	20	15.0

**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 and pending pre-meeting reviews:

<b>Department/Agency</b>	<b>Reports/ Comments</b>	<b>Status</b>
<b>Engineering</b>	No issues reported to date.	
<b>Streets/Sanitation</b>	No issues reported to date.	
<b>Police</b>	No issues reported to date.	
<b>Fire Department</b>	No issues reported to date.	No issues reported to date.
<b>MPO</b>	No issues reported to date.	
<b>Jets</b>	No issues reported to date.	
<b>Utility Companies</b>	No issues reported to date.	
<b>School District</b>	Request for review was sent to the school board.	Pending

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**RECORD OF PROCEEDINGS: MAPC PUBLIC HEARING HELD SEPTEMBER 8, 2015:**

**Applicant:**

**Mr. George Hamman**, Civilogic, appeared and stated that he prepared the application and survey. The site layout was emailed just recently. They have no objections to the Staff Report findings and stipulations. The owners have agreed to modify the request to an RM-8 L.U.O. restricted to 10 units, 5 duplexes. We have taken into account the Belt Street Right-of-way.

**Staff:**

**Mr. Spriggs** gave Staff Summary comments noting the surrounding conditions. Regarding the Land Use Plan, the property is recommended for Moderate Intensity Growth Sector, which will

make this proposal consistent with the density levels if modified to an RM-8 District. The surrounding vicinity was described having other apartments in the area and rental properties, commercial/industrial uses abutting, single family residential built within the I-1 District is also south of the site (photographs were shown). The Master Street Plan recommendations having Belt Street as a collector road will be addressed as noted by the applicant.

**Mr. Spriggs:** There were no comments or issues forwarded from the utility companies nor reviewing departments. Engineering and MPO were present in the pre-meeting. The school district was notified of this agenda item for multi-family, however Staff urges the applicant to forward a letter of intent to the School District prior to Council review.

**Mr. Spriggs:** As noted in the Staff Summary, the applicant originally proposed the RM-12 District which would result a higher density, and the applicant has revised the petition to an RM-8. The conditions were read regarding Storm Water Regulations, Site Plan requirements, Master Street Plan compliance, and the maximum of 10 units proposed.

**Public Input:**

**Harold Carter,** Jonesboro AR, Stated that he had some questions on these apartments being built. A site plan will be required. When you do the review, you should consider some requirement for sidewalks to be placed outside these apartments, because the roads are not suitable for walking. The population is only going to increase.

**John Ollis,** representing his parents who live at 1120 Belt St. (for 30 years), which is the single family home on the corner that currently shares a driveway. It is the only entrance to my parent's garage. That driveway is 100% on property next door, and we have concerns about apartments. Mr. Ollis presented some photographs. They have concerns about how they will get to their house once the apartments are put in.

**Mr. Spriggs:** Do you know if there is an ingress /egress easement or any verbal agreement?

**Mr. Stanley White:** Responded that over the 30 years he has maintained the gravel in between the driveways. That was a shared driveway with him and the former owner. They had no problems nor written complaints. It's in bad shape, but it suits us, he noted.

**Mr. Hamman:** We were not aware of the verbal agreements. **Mr. Spriggs:** Does it propose a problem? **Mr. Hamman:** Agreed that it could be worked out prior to site plan approval.

**Mr. Spriggs:** An approval can be contingent upon the owners agreeing to some form of access agreement and not preventing the neighbor's access. The applicants agreed to add that as a fifth condition. It could be address on some form of recorded plat.

**Mr. Bailey:** Just to make this clear, are you all doing this as a good faith effort to the neighboring property owners? Are they not legally obligated to provide that access?

**Mr. Spriggs:** That is a legal determination that cannot be solved in this setting. Apparently there were some verbal agreements between two owners; that legality would have to be handled separately.

**City Attorney Carol Duncan:** We can't give them legal advice on that; however, the lapse of time or having been used for that long and that purpose might give them some legal standing, but that is something that you both will have to work out.

**Mr. Hoelscher:** Will the City require the new drive to be paved? **Mr. Spriggs:** It depends on how that is coordinated. There may be some proximity issues to other drives. The engineer would have to creatively work that out.

**Mr. Reece:** Asked to see the area zoning map.

**Mr. Spriggs** noted that the primary zoning is R-3 and I-1, which were built as single family homes with apartments to the south and west. R-1 District exists to the north. The zoning map was shown.

**Mr. Kelton:** Stated that he drove the area and at that intersection of Belt & Old Greensboro, he noticed that the cars traveling west-bound on Belt St., disregard and run through the stop sign often. Please keep that in mind when working on the access.

**Commission Action: Motion** was made by **Mr. Bailey** to recommend approval to City Council for a change to RM-8 L.U.O. District, subject to the noted conditions; **Motion was seconded** by **Mr. Scurlock**.

**(8-0 Vote)**

**Roll Call Vote:** Mr. Reece- **Aye**; Mr. Cooper- **Aye**; Mr. Hoelscher- **Aye**; Mr. Perkins- **Aye**; Mr. Kelton- **Aye**; Mr. Scurlock- **Aye**; Mr. Bailey- **Aye**; Mrs. Schrantz- **Aye**. Mr. Lonnie Roberts Jr. was **Chair**.

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**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 15-14, and is recommended for approval from “R-1” Single Family to “RM-8 L.U.O.” (Modified), with the following conditions:

1. That the proposed site shall satisfy all requirements of the City Engineer, all requirements of the current Stormwater Drainage Design Manual and Flood Plain Regulations.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC, prior to any redevelopment of the property.
3. The applicant/successors agree to comply with the Master Street Plan recommendation for Belt St. upon any future redevelopment of the site.
4. The property shall be redeveloped under the RM-8 District standards, with a maximum of 10 units.
5. The property shall be replatted showing joint access agreements allowing access to the eastern neighboring property.

Respectfully Submitted for Council Consideration,



Otis T. Spriggs, AICP, Planning & Zoning Director

# Site Photographs



View looking East on Belt St Site on Left



View looking north on Calion St. toward project site



View looking West from Site Entrance



View looking Southwest on Belt Street from property location





View looking west from the site



View looking apartments west of the site (Patrick @Belt St.)



View from Calion St. looking towards site



View of East Neighboring Property



View looking at Commercial Property on the West of Site