

City of Jonesboro City Council
Staff Report – RZ 18-20: 726 Southwest Drive
Municipal Center - 300 S. Church St.
For Consideration by the City Council on September 4, 2018

REQUEST: To consider a rezoning of one tract of land containing 4.17 acres more or less.

PURPOSE: A request to consider recommendation to Council by the MAPC for a rezoning from “R-2” Multi-Family Low Density District to “PD-RM” Multi-Family Residential Planned Development District.

**APPLICANTS/
OWNER:** K & A Investments, LLC
 2801 Neely Road, Jonesboro, AR 72404

LOCATION: 726 Southwest Drive, Jonesboro, AR 72401

SITE DESCRIPTION: Tract Size: Approx. **4.17 Acres**
Street Frontage: **481.61’ along Southwest drive onto Haywood Drive**
Topography: Predominately Flat
Existing Development: **8 Existing Apartment Buildings containing a total of 42 Units.**

SURROUNDING CONDITIONS:

ZONE	LAND USE
North	R-2 Multi-Family – Residential – One Home / Electric Sub Station – Vacant lot
South	C-4 LUO – Commercial – Title Company / Car Wash
East	R-1 Single Family – Residential – Church
West	R-1 Single Family – Residential – Undeveloped Land

HISTORY: Multi-Family Dwellings

ZONING ANALYSIS

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

COMPREHENSIVE PLAN LAND USE MAP:

The Current/Future Land Use Map recommends this location as High Intensity Commercial Nodes /

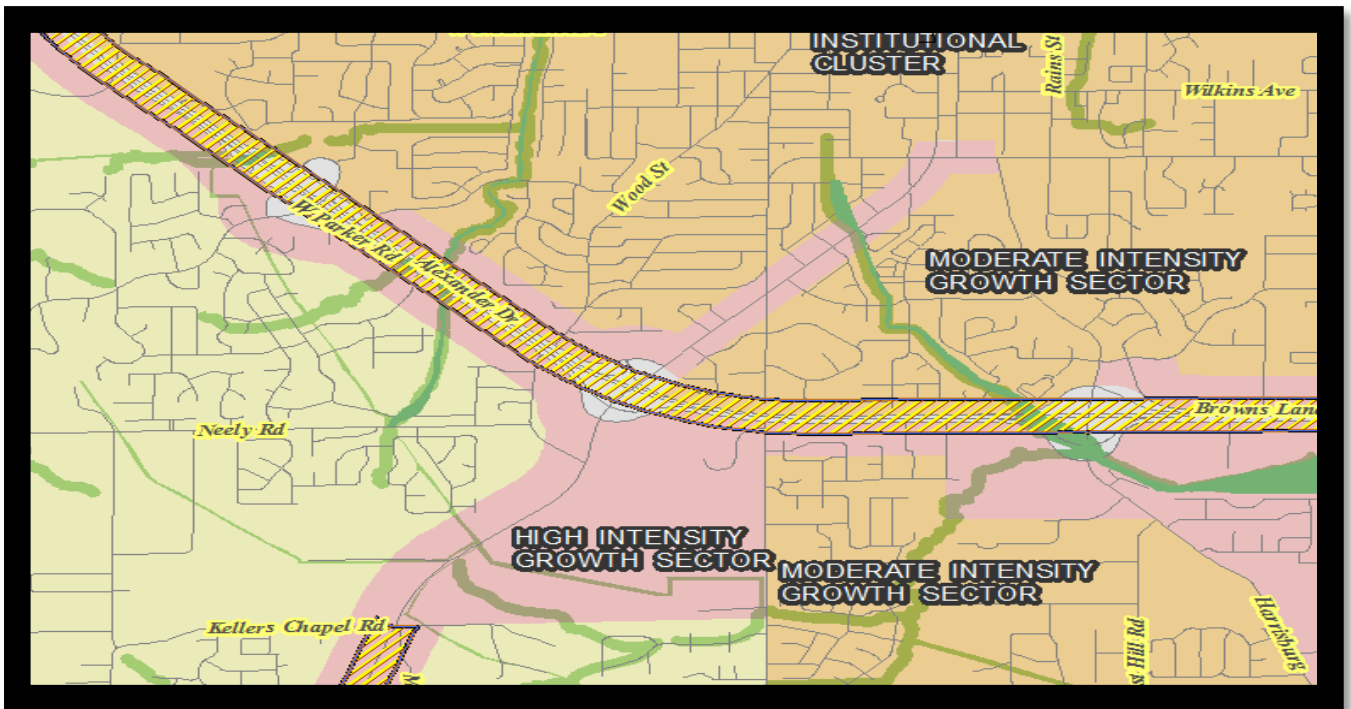
High Intensity Growth Sectors with a wide range of land uses is appropriate for this zone. This zone includes Multi-Family to Fast Food to Class A Office Space to Outdoor Display / Highway oriented businesses like Automotive Dealerships, because they will be located in areas where Sewer Service is readily available and Transportation Facilities are equipped to handle the traffic.

HIGH INTENSITY GROWTH SECTORS - RECOMMENDED USE TYPES INCLUDE:

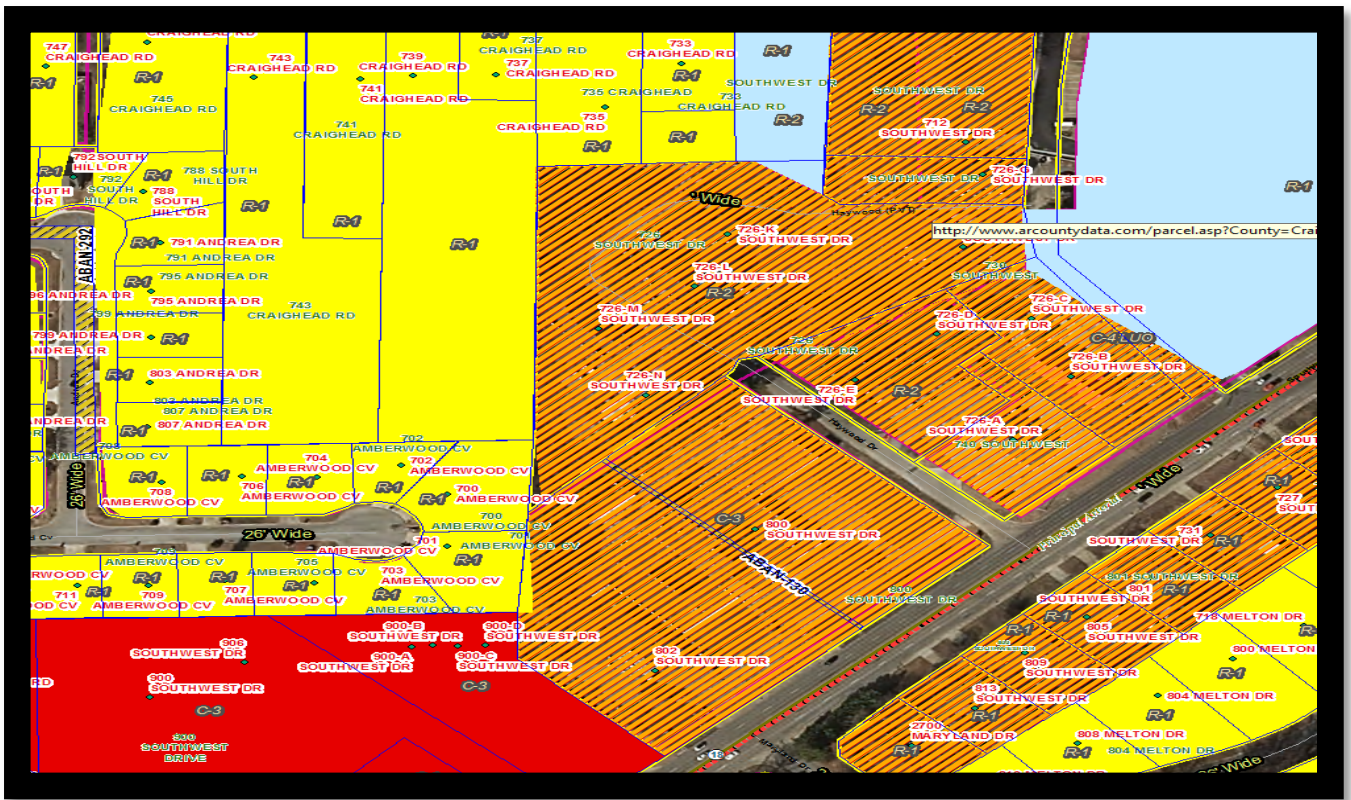
- Multi-Family
- Regional Shopping Centers
- Automotive Dealerships
- Outdoor Display Retail
- Fast Food Restaurants
- Service Stations
- Commercial and Office
- Call Centers
- Research and Development
- Medical
- Banks
- Big Box Commercial
- Hotel

MASTER STREET PLAN/TRANSPORTATION

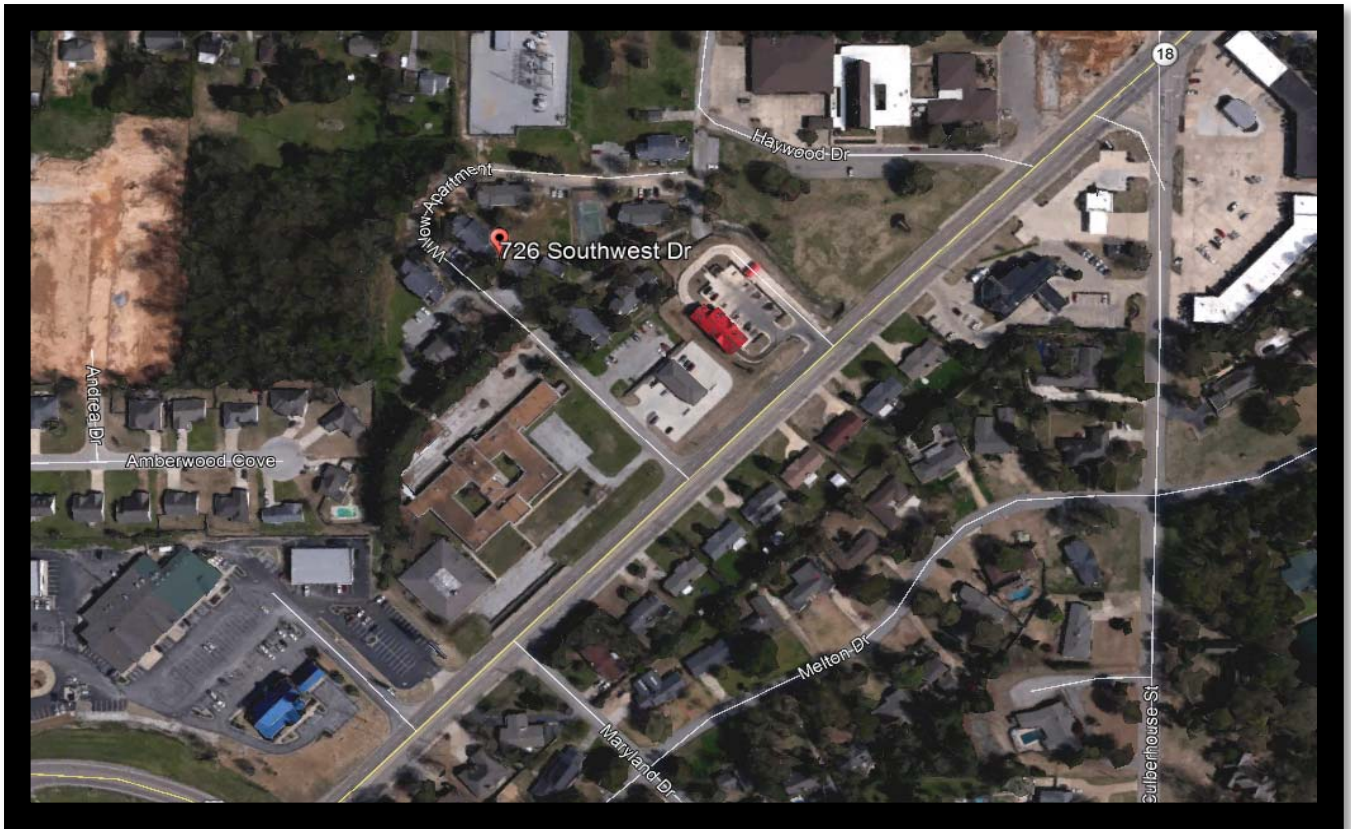
The subject site is served by Southwest Drive, which on the Master Street Plan are defined as Principal Arterial Street. This street is classified as 120 ft. wide. Haywood Drive goes into the Complex, which is a Local Street and classified as 60 ft. wide. The street right-of-ways must adhere to the Master Street Plan recommendation upon replatting and redevelopment as noted on the plat.



Adopted Land Use Map









Aerial/Zoning Map



Aerial Map

APPROVAL CRITERIA- CHAPTER 117 - AMENDMENTS

The criteria for approval of a rezoning are set out below. Not all of the criteria must be given equal consideration by the MAPC or City Council in reaching a decision. The criteria to be considered shall include, but not be limited to the following:

Criteria	Explanations and Findings	Comply Y/N
(a) Consistency of the proposal with the Comprehensive Plan/Land Use Map.	The proposed PR-RM Multi-Family Residential Planned Unit Development District rezoning is consistent with the Future Land Use Plan, which was categorized as High Intensity Growth Sector. The Property already has eight building with a total of 42 units. The R-2 Rezoning was in 1973. The buildings have been there since the 70's.	
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	The proposal will achieve consistency with the purpose of Chapter 117, with compliance of all Planned Unit Development District standards.	
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	Compatibility is achieved. This is adjacent to variety of facilities. There is a Title Company, Carwash, Church, Home, Electrical Substation and Vacant Land. The proposed use would not change the distract since 8 units are preexisting and have been there for years as noted. This is nonconforming.	
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment.	The eight building for a total of 42 units have been there since the 70's. The R-2 Zoning only allows one building on one lot not multiply buildings.	
(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.	The proposed uses are said to compliment and increase curb appeal to the area. No detrimental or adverse impacts are predicted. The elements will be taken care of thru the development site plan with the appropriate departments.	
(f) 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.	Minimal impact if rezoned due to the fact that businesses and residential currently exist or did as of recent. The elements will be taken care of thru the development site plan with the appropriate departments.	

STAFF FINDINGS

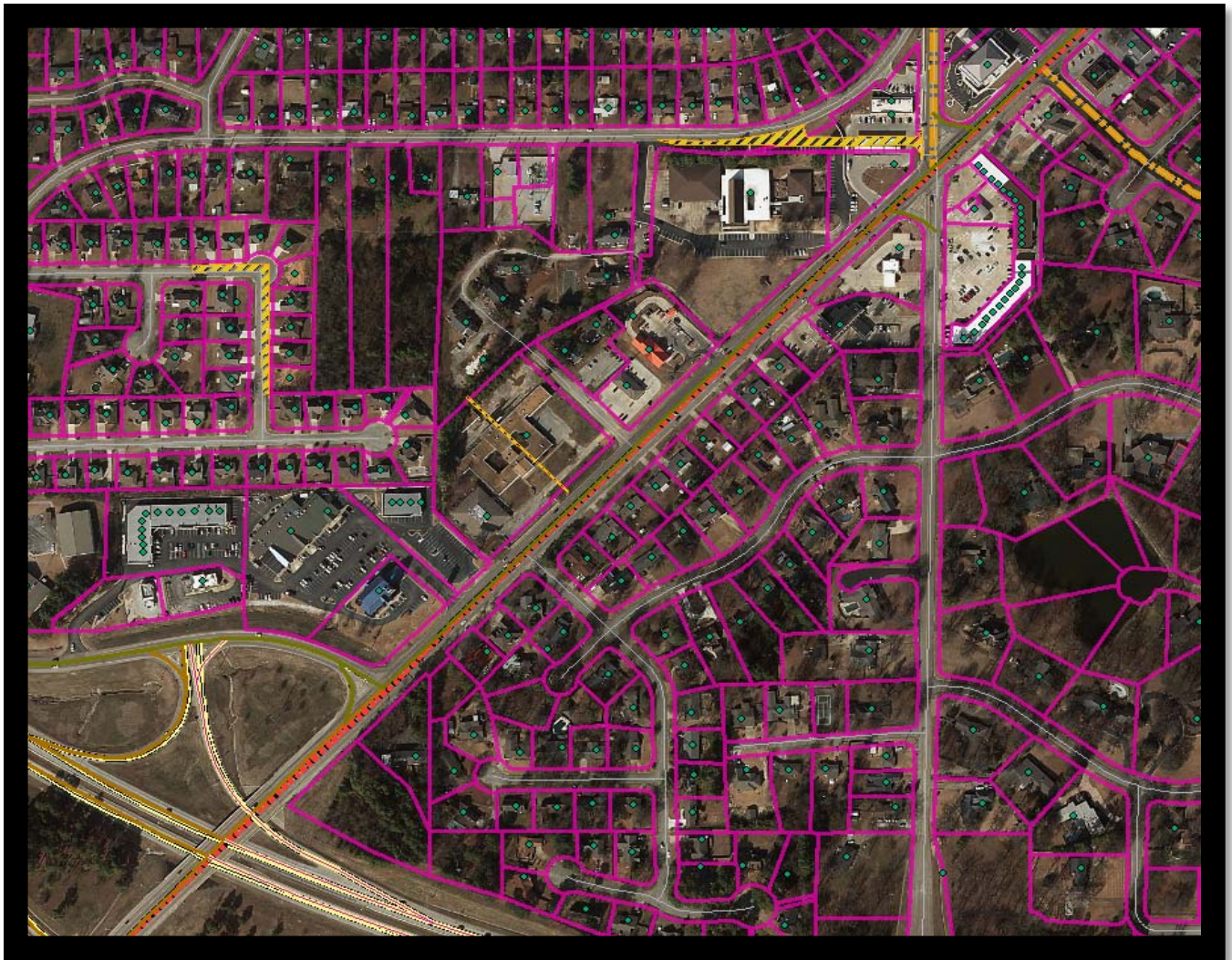
Applicant's Purpose

The applicant purchased the property with the R-2 zoning in place. The owner started remodeling the existing apartments and it revealed that the six unit buildings are not allowed within R-2 and that there should only be one building on any R-2 Lot. Based upon the allowable density within the R-2 Classification, the owner should be able to construct an additional fourteen units. There is ample space in accordance with the current classification, the owner would like to rezone this property to PD-RM, in order to eliminate the current violations, and gain the ability to construct an additional fourteen units.

Chapter 117 of the City Code of Ordinances/Zoning defines PD-RM Multi-Family Residential Planned Development District as follows:

Definition: PD-RM, Multi-Family Residential Planned Development District. This district is characterized by any plan unit development (PUD's) to allow for flexibility in the zoning requirements where the result will be a higher quality development. To provide for and locate suitable recreational facilities, open space and other common facilities, while preserving the existing landscape to the greatest extent possible. It is to encourage sound planning principles in the arrangement of buildings, the preservation of open space, the utilization of topography and other site features. This is to obtain creative and coordinated designs and allow procedures supplemental to those applicable in other use districts to establish under which development plans particularly designed to meet the objectives of this section; and to allow for creative development that conforms to the goals and objectives set for in the city comprehensive plan.





View of Larger Area Showing Current Zoning

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 that will be updated in the coming days:

Department/Agency	Reports/ Comments	Status
Engineering	No objections to this rezoning to date.	
Streets/Sanitation	No objections to this rezoning to date.	
Police	No objections to this rezoning to date.	
Fire Department	Fire has some issues concerning hydrants with water availability.	
MPO	No objections to this rezoning to date.	
Jets	No objections to this rezoning to date.	
Utility Companies	No objections to this rezoning to date.	

MAPC RECORD OF PROCEEDINGS: PUBLIC HEARING HELD ON AUGUST 28, 2018

RZ 18-20 George Hamman of Civilogic on behalf of K and A Investments, LLC is requesting a Rezoning from R-2 Multi Family Low Density District to PD-RM - Multifamily Residential Planned Development District for 4.17 acres +/- of land located at 726 Southwest Drive.

APPLICANT: Mr. George Hamman represented K and A investments for a Rezoning from R-2 to PD-RM. Mr. Hamman said this is an existing building, which needs to be appropriately zoned as this existing structure was built back in 1970's.

STAFF: Mr. Derrel Smith said this site meets all the six requirements that are on the zoning checklist. Mr. Derrel Smith said the Planning Department has reviewed the request and recommends approval with condition to approval from the Fire Department. It was the Planning Department that actually suggested the rezoning to be Planned Development for Multi-Family. We would recommend that we approve the rezoning with the requirement after rezoning the development must meet all city requirements.

The following stipulations will apply:

- 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 regarding any new construction.**
- 2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC since this is a PUD, prior to any redevelopment of the property.**
- 3. Any change of use shall be subject to MAPC approval in the future.**
- 4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, sidewalks etc., shall be submitted to the MAPC prior to any redevelopment. New screening outdoor storage and dumpster enclosure requirements shall be implemented if stipulated by the MAPC.**
- 5. This development has to have Approval from the Fire Department.**

BOARD: Mr. Lonnie Roberts asked if there are any public comments.

PUBLIC: Ms. Robin said she goes to Church, which is adjacent to the property in question. She mentioned that there are open sewage running through this development. She added that if the city inspections can thoroughly check the area before this is approved. She said that she just wants the property to be up to the standards of today, as this is an old development.

STAFF: Mr. Derrel Smith as this is approved it will go through all the proper code inspections and will have to be up to standard.

BOARD: Chairman Mr. Lonnie Roberts shared a letter with everyone saying that K and A should be encouraged and supported in redeveloping this property as it helps enhance the property value in the vicinity.

APPLICANT: Owner of K and A developments came up and said he is investing in this property. He wants to fix the property up and appreciates everyone's concern. He added that the property will be renovated and will be up to today's standards and codes.

PUBLIC: No more Public Comments.

COMMISSION ACTION:

Mr. Jimmy Cooper made a motion to approve Case: RZ: 18-12, as submitted, to the City Council with the stipulations that were read by the Planning Department:

- 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 regarding any new construction.**
- 2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC since this is a PUD, prior to any redevelopment of the property.**
- 3. Any change of use shall be subject to MAPC approval in the future.**
- 4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, sidewalks etc., shall be submitted to the MAPC prior to any redevelopment. New screening outdoor storage and dumpster enclosure requirements shall be implemented if stipulated by the MAPC.**
- 5. This development has to have Approval from the Fire Department.**

The MAPC find to rezone property from R-2 Multi Family Low Density District to PD-RM - Multifamily Residential Planned Development District. Motion was seconded by Mr. Dennis Zolper.

Vote: 6-0, Aye's: Jim Scurlock; Mary Margaret Jackson; Kevin Bailey; Jimmy Cooper; Jim Little and Dennis Zolper

CONCLUSION:

The Planning Department Staff finds that the requested Zoning Change submitted for subject parcel, should be approved based on the above observations and criteria of Case RZ 18-20, a request to rezone property from “R-2” Multi-Family Residential District to “PD-RM”, Multi-Family Planned Development District, subject to final site plan approval by the MAPC subject to the following:

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 regarding any new construction.
2. A final site plan subject to all ordinance requirements shall be submitted, reviewed, and approved by the MAPC since this is a PUD, prior to any redevelopment of the property.
3. Any change of use shall be subject to MAPC approval in the future.
4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, sidewalks etc., shall be submitted to the MAPC prior to any redevelopment. New screening outdoor storage and dumpster enclosure requirements shall be implemented if stipulated by the MAPC.
5. This development has to have Approval from the Fire Department.

Respectfully Submitted for City Council Consideration,
The Planning Staff

Sample Motion:

I move that we place Case: RZ-18-20 on the floor for consideration of recommendation by MAPC to the City Council with the noted conditions, and we, the MAPC find that to rezone property from “R-2” Multi-Family Residential District to “PD-RM”, Multi-Family Planned Development, will be compatible and suitable with the zoning, uses, and character of the surrounding area, subject to the Final Site Plan review and approval by the Planning Staff in the future.

Pictures of Area

