



City of Jonesboro City Council
Staff Report – RZ09-07: NEA Baptist Memorial Health
Huntington Building - 900 W. Monroe
For Consideration by the Council on May 19, 2009

REQUEST: To consider rezoning a parcel of property containing approximately (76.24) acres more or less.

PURPOSE: A recommendation for approval of a rezoning from R-1 Single Family Residential and C-3 General Retail to a PD-C (Planned District- Commercial Business District).

APPLICANT/ OWNER: Health Tech Affiliates, Inc., 350 N. Humphries Blvd., Memphis, TN 38120

LOCATION: On the north side of Highway 49N, West of Bridger Road

SITE DESCRIPTION: Tract Size: Approx. 76.24 acres +/-
 Frontage: Approx. 1968.66 ft. on Highway 49N (Johnson Ave.)
 Topography: Primarily flat.
 Existing Dvlpmt: Formerly Agriculture Uses

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
North:	R-1	Residential Use
South:	R-1, C-3	Religious, Commercial
East:	R-1	Mobile Home Park, Agricultural
West:	R-1	Agricultural/Residential

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 Medium Density Residential. This designation includes all future residential uses that are more than three and maximum of ten units per net acre (R-2 Residential). This designation is outdated and is currently being evaluated by the Land Use Committee. This site is has been highlighted on the proposed land use map as Commercial Node Development. If adopted, the proposed use will be consistent with the general planning principals for this general area.

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.

Section 14.20: Planned Development Districts:

According to the PD District Codes, PD-C districts typically permits uses that are allowed in the C-1, C-2, C-3 or C-4 Districts. The proposed anchor medical facility will satisfy such requirements. Specific set back and lot perimeter regulation standards are typically allowed to be flexible in accordance with the Planned District code. This is to allow the Commission and Council an opportunity to evaluate unique large unified developments with the intention of gaining a level of design ingenuity in buildings, yards, courts, circulation and open space, and other community amenities.

Proposed Areas:

Parcel A:	Hospital: 39.96 ac	
	Open Space: 1.17 ac	Total: 41.13 ac
Parcel B:	NEA Clinic: 3.49 ac	
Parcel C:	Office/Medical:	16.04 ac
Parcel D:	Office/Medical: 2.86 ac	
	Common Open Space: 1.04 ac	Total: 3.90 ac
Parcel E:	Impervious Surface: 1.55 ac	
	Common Open Space: 10.13 ac	Total: 11.68 ac
		Grand Total: 76.24 ac

Height.

- The hospital will have a maximum height of 165', with other development buildings be designated with a maximum height of 65' or 35'.

Floor Area Ratio

- Floor Area Ratio standards are in place for Areas A, B, C, and D.
- Total proposed building footprints: 239,013 sq. ft. (5.487 acres).

Open Space.

- Common open space requirements comply with Jonesboro Municipal Code by exceeding the 15% open space requirement.
- Areas designated common open space will be landscaped attractively and allow for recreational uses such as jogging, walking, sitting, etc.

- Open space maintenance and ownership and required impervious surface percentages have been established for parking areas and individual lots.

Note: the developer has proposed over 20% open space.

Access, Parking, and Circulation

- Access to the property, access to individual lots, public right of way improvements, private drives and street improvements, off-street parking and loading requirements, and circulation are all addressed with requirements.
- 1,514 spaces are provided on the conceptual plan.
- Pedestrian foot traffic will be supported by sidewalks and walk paths.
 - *Further detail of sidewalks and locations should be submitted during the Preliminary and Final Development Plan stages.*

Section 14.36.07 states: *Sidewalks shall be required for all multi-family developments that contain five units or more. Sidewalks may be required through the site plan approval process for commercial developments.* Please note:

- *Sidewalks are recommended to be installed along the Highway 49 property frontage to promote future pedestrian connectivity and safety.*

Landscape, Screening, and Bufferyards, and Lighting

- Landscape requirements for open space, parking areas, and maintenance of public right-of-ways and road medians have been established.
- Screening and bufferyard standards have been developed for properties and lots within the planned unit development and garbage cans, utility meters, transformers, and other utility structures.

Note: Perimeter landscape buffers are proposed for the east property lines, north property lines, and north half of the west boundary including common open space areas.

- *A detailed landscape plan shall be submitted as part of the Preliminary and Final Development Plan stages.*

Site Lighting

- Site lighting standards for safety has been established
- Maximum heights for lighting standards have been established.
 - *A detailed site lighting and photometrics plan shall be submitted as part of the Preliminary and Final Development Plan stages.*

Signs

- Permitted and prohibited signs for each area of the development are outlined within the development conditions.
- 1. Gateway signage shall consist of three signs (not exceeding 150 square feet each): one sign identifying the overall development, one sign identifying the NEA Baptist Memorial Healthcare Hospital and one sign identifying the Clinic. The height of the signage shall not exceed 35 feet in height.
- 2. Monument Signs: Two monument signs are permitted on Highway 49/East Johnson Road (Refer to approximate locations on Final Development Plan).

The monument signs on Highway 49 /East Johnson Road shall identify the development, the NEA Baptist Memorial Hospital and significant users.

Monument signs shall not exceed 150 square feet. Monument sign shall not exceed 35 feet in height.

- *A detailed signage plan shall be submitted as part of the Preliminary and Final Development Plan Process.*

Utility Agency Review:

A). Utilities: As much as possible, existing utility connections will be used. The applicant has met with the staff of City Water & Light and is continuing to work with them on the utilities. Infrastructure is in place, and evaluation is in progress to determine if it is adequate. Numbers are forthcoming from the Hospital's engineers.

MAPC Public Hearing- 5/12/09 Record of Proceedings:

RZ 09-09 NEA Baptist Hospital request a rezoning from R-1 & C-3 to PD-C

Applicant/Developer:

Mr. Pat Harcourt, of Askew Hargraves stated he is representing the proposed rezoning/ planned development. This is an existing 76 acres of land, and it is cut into 4 different pieces. The bulk of the property is currently zoned C-3 except 18 acres. It is consistent with the surrounding uses across the street which are commercial such as a hardware store, and a hospital surgical center. This is a major thoroughfare road. We are asking for a Planned Development format, everything is medically related for the campus. The bulk is the medical hospital with the clinic next to that. We are requesting a zero lot line for the clinic, and special consideration for the height of the hospital. There is a utility plan. He explained the future expansion plan. They will be extending out in the rear area for future use. He presented the updated site/concept plan.

Mr. Collins asked is this just a consideration for the rezoning?

Mr. Day: This will be the first of three meetings: This one is for granting the Planned District, and this restricts the uses.

Mr. Spriggs stated that with the approval will be attached the conceptual drawings; the second step will be the preliminary, and the third will be the final development plan. He added that we are requesting that a recommendation be made to Council to have it rezoned to PD-C with the attached conceptual plan and the covenant conditions.

Mr. Spriggs stated that Planning, Fire Marshall Staff, Engineering, and Building Inspections have met with the applicant extensively during the conceptual and initial application stages. The property is currently zoned C-3 and R-1, with the majority being a C-3 District. The hospital could have been implemented just within the C-3 area, but they wanted amenities to occur as a planned community. We suggested that they go through the Planned District regulations; with that in mind we can relax some of the standards while gaining such amenities such as open space, and other services that would be beneficial to the general area.

The various covenants and conditions break down how many acres are involved: the majority of the acreage is attributed to the clinic, the hospital and with the office uses, as the applicant has described, totally 76.24 acres. The applicant has listed a number of uses that will go within the district, which have been listed in the staff report:

Assisted Living Units, Hospital, Medical Outpatient Services, Independent Living Units, Nursing Units, Religious, philanthropic or educational institution; school, public or private; laboratories, Computer Data Center; Medical Research Facility, Private Cogeneration Utility Facility; Radio/TV antenna, tower, earth station greater than 35ft. in height; private ambulance service, Day Care, Doctor's office/Medical Office building; Hotel/Motel; Office; Parking lot/garage; Free standing Pharmacy; Recreational facilities for employees; Surgery Center/Emergency Medical Facility; Wellness Services/Health-plex; Air Ambulance/helicopter Pad (subject to FAA approval).

All of the individual proposals would come before the MAPC, under a preliminary and final development plan submittal. We also mentioned in the staff report that the Land Use Advisory Committee has looked at this general area, and has highlighted it as a commercial node; which would encompass mixed use transitional uses such as this. The request is consistent with the direction that the City is going. We have also requested in the staff report some changes to the conditions; such as, more detail will be needed during the platting process to make sure the minimum platting requirements can be satisfied with the 60 foot frontage on a public right-of-way.

The only instance where that would be varied would be where the clinic is requesting a zero lot line. That is for financial arrangement that they would like to see happen with the clinic. We are requesting sidewalks to recommended to Council for the frontage of the property so we can work towards the direction that the Council is moving for pedestrian connectivity, if this area were to grow.

The applicant is working with the highway department with the traffic issues; they are proposing deceleration lanes on Hwy. 49 North, a traffic signal, and emergency signal are being considered along with an emergency signal for the ambulances.

CWL has reviewed the application and is working with the applicant. CWL is stating that the services in terms with the utilities services will be evaluated to see if it is adequate and the numbers are forthcoming by the applicant's engineers. The fire department has reviewed the proposal and they along with engineering do not have any immediate concerns at this time.

Mr. Day asked Mr. Spriggs where in the Planned District Code are we on in terms of the steps?

Mr. Spriggs stated that we are in a cross section of steps 2 and 3, which include the application submittal, on to the preliminary concept plan review which is submitted simultaneously before the Planning Commission. In the 3rd staff, once it goes to City Council, they will adopt an ordinance and the conceptual plan with covenants. It will then come back to the MAPC as a preliminary plan and the final development plan about a month later to determine if all the covenants are implemented and in place.

Public Input:

Preston Williams- Stated that he lives on the northern boundary and is not in opposition. We in the neighborhood are very pleased to have them as a future neighbor. Mr. Gibson and Mr. Pat Harcourt have gone out of the way to keep us informed, but I have a couple concerns to express.

First: this facility will have some level of crime in the parking lot. Crime is vastly growing in the United States. Wal-Mart has upgraded security cameras in their parking lot. He added that he has not discussed this with Mr. Pat Harcourt. The crime in these areas are serious assaults and murder crimes and are not just carjackings and purse snatching. We have not looked at the tree plan nor the grading plan in great detail, but we would like to see a physical fence along the north property line and the parking lot; and would like the highway department to look at noise abatement. People living along that stretch of Highway 49 equals that of people living along Hwy. 63 at those same time intervals during rush hour.

The highway is 2000 ft. from where we live, but now we will open this facility with an estimated traffic flow of 2500 cars per day next to our house. As it expands we can have thousands of cars in that area each day, and we think the highway department needs to look and take measurements on the impact, for building that facility to see what noise abatement needs to be done. We also have a concern about having the fence because of the animal problem which we love: we have deer along the northern property line, about 1500 ft. of the property line. We get about 25 deer a day walking through that area; we planted wheat to attract them; after they leave our yard they go to that northern part for an enjoying afternoon. We would like to help keep them out of the construction site, so

they won't be destroyed. Mr. Harcourt and Mr. Gibson have done a lot for us in this area.

Rick Panneck, property owner to the West. *One of the comments is that of possible uses such as hotels. Is there any way we can make a stipulation where that is not possible with this rezoning. I would like to make it a stipulation not to have hotels. I personally find it disconcerting to have a hotel to the back of my property.*

Mr. Spriggs stated that we can have the applicant addressed that. *This is typical for a lot of hospital campuses, for out of town family members.*

Mr. Pat Harcourt stated that he is not sure that the hospital would really need the hotel and it has not been in the discussion at this time. *We just leave the options open in the allowable uses for the unforeseeable future; if it did occur, it will not be a luxury hotel, but one for long-term illnesses or hospice; I don't see this campus going there right now.*

He added that we don't see our group having that on the planning table at this time. As for as the other comments; Security- they have their own security force 24/7 with a camera system throughout the campus patrolling, and a very good security plan. We have not had a lot of instances in the Memphis and Southaven campuses.

Noise abatement- we are doing things on the campus that will help abate noise from the property. He presented the grading plan which has been modified. He showed the grading in the northern area showing 10-15% difference in grading with a berm.

We have revised our grading and lower the site about 2 feet from this grading plan to get dirt balance. You can see the tree plantings on the other plan. We are down to a 291' elevation for the hospital, for the finish floor. There is a 10 to 12 ft. berm in that area with perimeter landscaping that will help with noise abatement. I am not sure what the highway department will do. The building is massive and will abate some of the noise coming in.

The trees will take a few years to grow from planting. I will verify for the next meeting to get some assurance from the hospital group on the security plan. They are very diligent and safety/security conscious. I invite of you to come to Southaven Mississippi or Collierville to look at the type of facility you will get.

Mr. Spriggs asked: *In the covenants you mentioned or addressed the issue of fencing and that question was raised. Do you have an issue where it abuts residential tracts that are being utilized to provide any type of fencing?*

Mr. Pat Harcourt: *We prefer not to fence the entire property. There are fences existing for cattle all along the perimeter here. We would leave them in place. We will put in landscaping and so forth. The entire property is fenced in except the road frontage, and there is some cross-fencing that will go. We would not like to spend money on fencing; but where there is a need we will leave those fences in.*

A couple of your other comments you made earlier, I would like to object to. The side walks along Hwy. 49N; none of the other sites across street have them. We will have detention basins in front to meet the stormwater ordinance; we are not sure we want people walking around the steep detention basins; would like to meet with staff and if it is a deal breaker, and we will put them in. The new conceptual plan shows a walking trail that runs the perimeter.

***Mr. Day** asked that in terms of the fencing and details of the sidewalks, are those items that we really need to set in stone at this point?*

***Mr. Spriggs** suggested that we stick to the generalities, and just as long as they are covered in the covenants. Those will be addressed by Council, because Council will be making the ultimate decision.*

***Mr. Day** suggested that we put that as discussion item as a part of our motion to discuss and be reviewed by the Planning Commission.*

***Mr. Pat Harcourt** stated that your PD system or avenue is different than we are use to. The PD sets the requirements and all the private roads are maintained privately. We essentially have several businesses on one lot. We would like to keep it private. It is a simple thing to get public road frontage on all these lots. It is a simple fix if you want, we want the capability of placing buildings in the future areas for some smaller physician buildings.*

***Mr. Spriggs** stated that was our understanding. If you are amenable to making it all one tract you can place more than one building on one lot. MAPC is clear on the one lot to have the zero lot line provision.*

***Mr. Day** opened the floor for a recommendation for the preliminary PUD to the City Council.*

***Mr. Day** stated that traffic issues seem to have been met appropriately. **Mr. Day** asked staff if at this time we need to deal with the time-frame schedule for the development?*

***Mr. Spriggs** stated that staff recommended that a phasing plan be presented. Those details can be dealt with when it comes back to the Commission.*

***Mr. Pat Harcourt:** once we get approval, everything you see such as parking, roads, buildings, and landscaping is going immediately. The only phasing plan to be would be if we add another building. Everything you see now is what is going immediately.*

*In your presentation did you include your items of the sidewalks and fence, **Mr. Day** asked. **Mr. Spriggs** stated that he will go back and edit the comments to say that those items are to be reviewed and determined later by the MAPC.*

***Mr. Tomlinson** asked have we addressed the Highway department on the deceleration lanes?*

Mr. Pat Harcourt stated that they have had several conversations with the State Hwy. Dept. The State Highway Department does not require excel or deceleration lanes. We are showing them now because we thought it would improve the traffic flow; but we may end up having to take those out. We will get with Craig Light on that.

Sometimes we are not all on the same page. They have jurisdiction on that (Hwy. Dept.). We will have to strike a some medium cord on that. We would like to do it on a small scale; the State says if you put them in, you have to put them pass the property and we can't do that. I thought I had taken those off.

Mr. Spriggs stated that the Hwy. Dept. does have jurisdiction on the deceleration lanes. Where we have come up short is where the Planning Commission had an opportunity to address certain improvements while the Highway Department has jurisdiction; MAPC does have the liberty to make recommendation to Council when considering Planned Districts like this one to address those issues. This is an opportunity for us to work cooperatively with all parties involved, because the State will not say you have to do this, but sometimes it may be an instance where it will work better for that area. With the new master street plan, with City engineering and planning departments can work together to address the issues.

Mr. Day stated that when it comes back we can address it in greater detail, because it is in the plan and we can deal with that later.

Mr. Tomlinson asked will the interior drives carry the traffic; What is the width of the avenues?

Mr. Pat Harcourt stated that they will be 31 ft. wide, back to back of curb. They are wider lanes than normal to handle it. There will be speed limit signs, typically 15 to 20 miles limit in there with speed bumps, breakers, and traffic calming things that go in to slow people down.

Motion was made by Lonnie Roberts to recommend approval of the rezoning from R-1 to PD-C (Planned District-Commercial) for this PUD with the attached conceptual plan and the attached covenants and conditions as read in the record. Motion 2nd by Tomlinson.

Roll Call Vote: (6-0): Mr. Kelton- Aye; Mr. Tomlinson- Aye; Ms. Norris- Aye; Mr. Collins- Aye; Mr. Dove- Aye; Mr. Roberts- Aye.

Findings:

General:

The planned medical campus style, PD District will provide a vast amount of growth to the northeast sector of the community. The majority of the proposed development will lie within an existing C-3 General Commercial District, in which the developer could have implemented a more undesirable layout under the existing code standards without consideration for open space and environmental issues.

Engineering, Planning, Building and Fire Inspections' Staff have worked extensively with the project team to address numerous concerns from all parties.

Phased Developments:

The applicant has not stated if a “phased” development is desired. The phasing option, if chosen should be demonstrated during the preliminary development plan stage to the Planning Commission as allowed under the PD District code:

- *For phased developments, the Metropolitan Area Planning Commission and City Council may approve a phased final development plan schedule as part of the preliminary development plan approval. In such case, the approved time frames shall establish when the approved preliminary plan shall expire.*

Permitted Uses:

The developer has proposed the following uses as part of the PD-C:

Assisted Living Units, Hospital, Medical Outpatient Services, Independent Living Units, Nursing Units, Religious, philanthropic or educational institution; school, public or private; laboratories, Computer Data Center; Medical Research Facility, Private Cogeneration Utility Facility; Radio/TV antenna, tower, earth station greater than 35ft. in height; private ambulance service, Day Care, Doctor’s office/Medical Office building; Hotel/Motel; Office; Parking lot/garage; Free standing Pharmacy; Recreational facilities for employees; Surgery Center/Emergency Medical Facility; Wellness Services/Health-plex; Air Ambulance/helicopter Pad (subject to FAA approval).

- *As each proposed use is phased into the development, each shall be subject to Final Approval by the MAPC.*

Plat Approval Process:

As mentioned above, the PD District allows for relaxation of the typical lot standards. However, the developer is proposing a 5- parcel minor plat as demonstrated on the conceptual plan. The applicant has expressed a desire to have a zero- lot- line for the attached Clinic Site (Parcel B) due to unique financing purposes. Staff will support such a request. However, Staff cautions the Planning Commission to evaluate Parcels A and C on the issue of lot frontage on a public street; all interior drives serving the development are identified as private drives.

- *Final plat shall be presented and approved by the Planning Commission as part of the Final Development Plan Process.*

Conclusion:

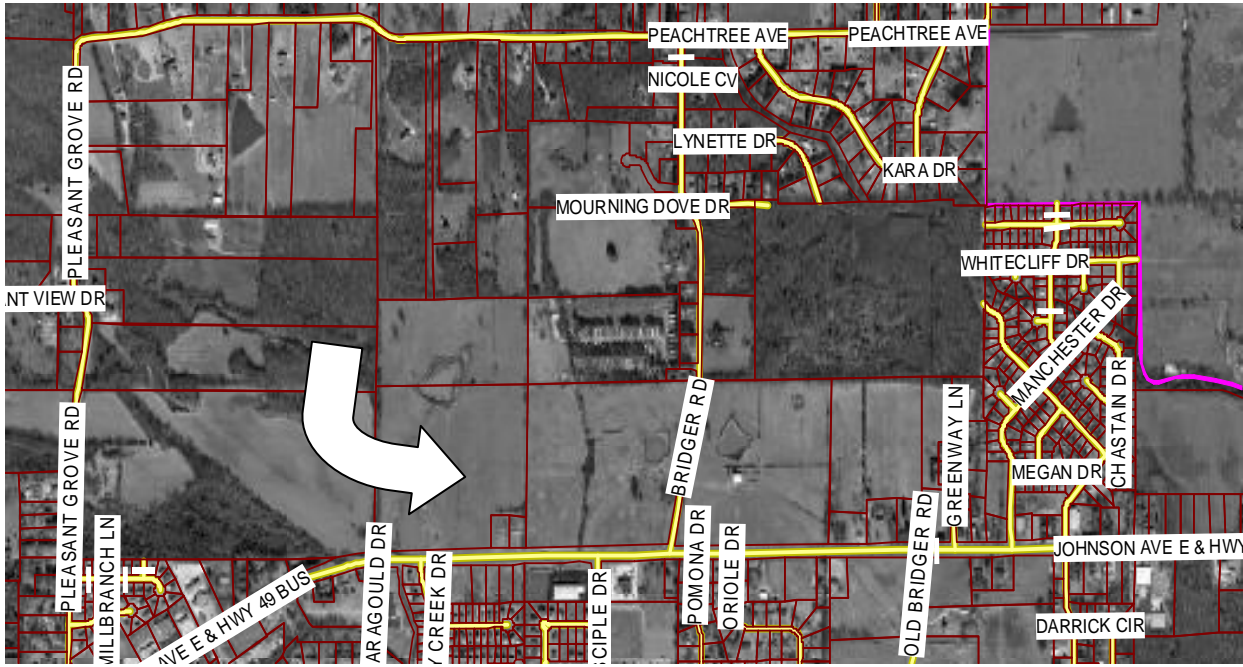
The MAPC and Planning Department staff finds that the requested zone change submitted by NEA Baptist Memorial Healthcare, Inc. should be evaluated based on the above observations and criteria in making recommendation to the City Council. In consideration of the petition to rezone property from R-1/C-3 to PD-C, Planned Commercial District, MAPC voted unanimously to approve the rezoning and the concept plan, subject to preliminary and final development plan review of the entire

development, contingent to compliance with the attached Development Criteria/Covenants. This planned development follows good land use design principles if all of the above concerns are addressed.

Respectfully Submitted for Council Consideration,

Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



AERIAL MAP



View looking West Along Highway 49 N



View looking East Along Highway 49 N



View looking southwest on towards Hwy. 49 N from Project Site



View looking South towards from site



View looking South towards from site



View looking east from site towards Bridger Rd.



View looking North from Site



View looking West from Site



View looking East across from Site towards Bridger Rd.



View looking West across from site



View looking Northwest along Hwy. 49 N. towards site



View looking North towards site, along 49N from property across street.



View looking North towards site from property across street.