



City of Jonesboro City Council
Staff Report – RZ 13-01 Sage Meadows: K& G Properties RS-8
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 6.76 acres more or less.

PURPOSE: A request to consider a recommendation to Council for a rezoning from a C-3 – General Commercial District to an “RS-8” Single Family Residential District, 8 units per acre.

**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. 294,507 S.F. – 6.76 Acres
Frontage: Total of 248.47’ along Macedonia Road
 Total of 507.67’ along Sage Meadows Boulevard
Topography: The site has topographic relief, and drains generally to the west, toward vacant land and 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:	_____	Sparse single family development (Outside City Limits)
South:	C-3	Industrial Use
East:	C-3	Storage Warehouses
West:	R-1, R-3	Single Family & Existing church

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 amendments to the Land Use Map.

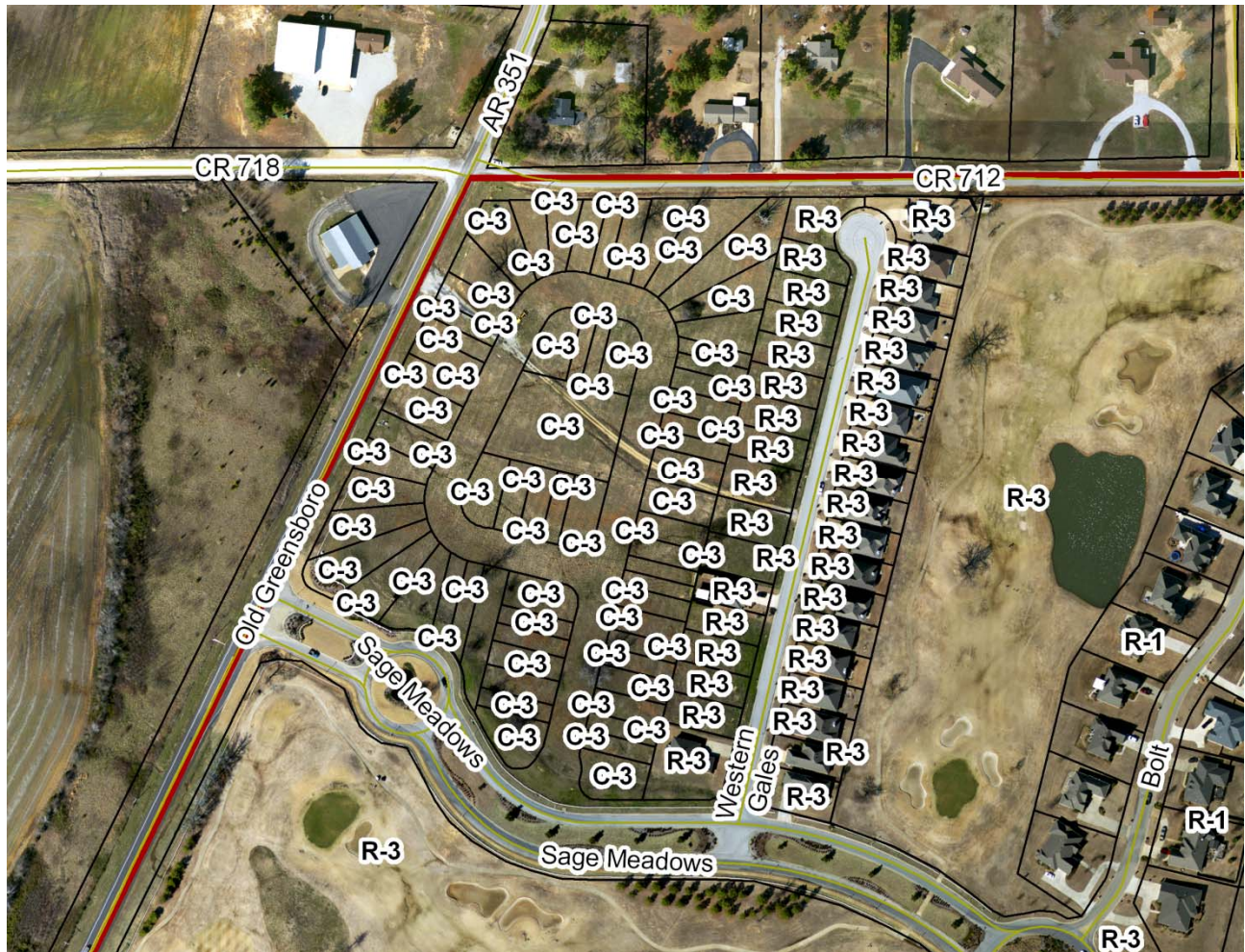
This petition for rezoning is currently consistent with the Land Use Plan.

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	No detriment.	

<p>property;</p> <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 he purchased this property, 4 or 5 years ago. At that time he was aware that 65 condominiums had been approved by the City, but was later notified that the Planned Unit Development (PUD) had expired and he had to go back through the rezoning process. He did so but it was denied and reverted back to C-3 by the Council.

He added that he will leave the out-lot Zoned C-3 General Commercial but would like to change the other 2 sections- this case is for the RS-8 Single Family request.

Mr. Kessinger stated that he has met with the POA Board, (they are a strong group) and they sent a letter with no opposition of the petition, just as long as he agreed to a number of conditions such as where the street connects into Sage Meadows Blvd. and Macedonia Road.

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.

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 amendments to the Land Use Map.

The subject site is served by Macedonia Road (Principal/major Arterial); and Sage Meadows Boulevard (Local Road) on the Master Street Plan. The proposed right-of-way is noted as 60 ft. from the center line of Sage meadows Blvd. and 44.40 ft. from Macedonia Road. Principle Arterials require a 120 ft. right of way, by which the proposed is less.

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.

Mr. Kessinger stated that he has no access to Western Gales Drive. Mr. Spriggs concurred and noted that he verified that the previous stub street was abandoned.

Public Input:

Ms. Sue Winstead, 4949 Wingfoot. Stated that there are 400 – 500 houses in Sage Meadows. She expressed concerns about how the project will coordinate with Sage Meadow's Boulevard which does not come to two lanes until a certain point. She expressed concerns about the access to the non-standard roundabout. She stated that it took her 30 minutes to get from her house to Highway 49N when leaving for the developer's meeting. Ms. Winstead stated that they are open to where the City thinks is the best spot to connect to Sage Meadows Blvd.

Mr. Scurlock: Asked Mr. Kessinger if the new development will be a part of the Bill of Assurances of Sage Meadows? He replied that it will and also will be subject to architectural review.

Mr. Kessinger expressed what he agreed to with the P.O.A. He agreed to have access on to Macedonia, as well onto Sage Meadows Blvd., and he is willing to work with staff on the best location of connection.

Paul Johansen: 4205 Sage Meadow's Blvd. Stated that in May of 2008, a plan was brought to this board. There was only one entrance at our round about. MAPC voted 6 to 1, in favor of the case if they were to put a road out to Macedonia and they did not agree. That roundabout is smaller than the main one. It is half the size, and was built only for looks.
Public Debate was closed.

POA Board member: Mike Cross- Added that in dealing with this issue, there seems to not be any negatives of what will be built, other than where the road will join. The P.O.A. met with the developer last Friday night for 1.5 hours. We felt like the street planners will know what's best. The developer has agreed to that. Most concerns are if it comes out at the roundabout, we are setting ourselves up for accidents. It's not designed like a roundabout for traffic. The traffic in the morning is congested and there is not a person that will let anyone come out of the proposed drive.

Mr. Scurlock asked are there any other access points to Macedonia? Mr. Cross stated no, and there are over 550 houses in Sage Meadows having over 1,500 people. We are a small town with one street.

Commission Action:

Motion as made by Ms. Nix, to approve the zoning request subject to Staff conditions and make recommendation to City Council for approval; Motion was seconded by Mr. Tomlinson. 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 Sage Meadows Boulevard (Local Road) on the Master Street Plan. The proposed right-of-way is noted as 60 ft. from the center line of Sage meadows Blvd. and 44.40 ft. from Macedonia Road. Principle Arterials require a 120 ft. right of way, by which the proposed is less.

Zoning Code Compliance Review:

The applicant is requesting a change to an "RS-8" Single Family District. The Zoning Resolution requirements are as follows:

RS-8—Single-family Residential District

Minimum lot width: 50ft.
Minimum lot: 5,445 s.f.
Front Setback: 15 ft.
Rear Setback: 15 ft.
Side Setback: 7.5ft. each

The applicant has not proposed any subdivision layout at the present time. Preliminary and Final Subdivision submittals will be required and will be subject to MAPC approval in the future. Issues such as

access management need to be addressed before the Planning Commission concerning right of way frontages.

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 13-01 noted above, a request to rezone property from “C-3” General Commercial District to “RS-8” Single Family District, 8 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 subdivision development plans be submitted and reviewed by the MAPC prior to any future redevelopment of the proposed site.
3. The applicant agrees to comply with the Master Street Plan recommendations for the Macedonia Road right-of-way.

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)