



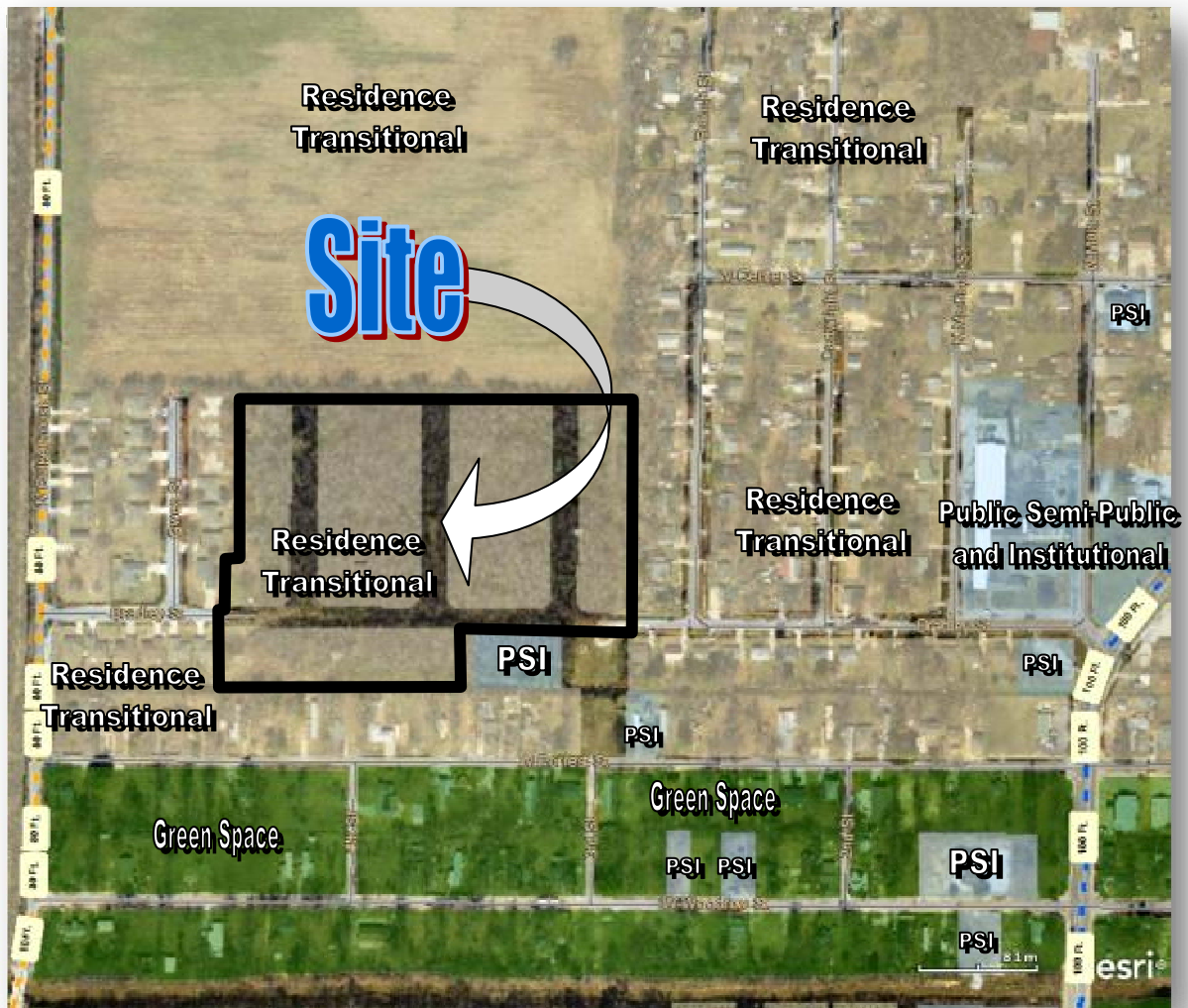
City of Jonesboro City Council
Staff Report – RZ 13-10: Robert Abraham Rezoning – Bradley Street
Huntington Building - 900 W. Monroe
For Consideration by the Council on July 16, 2013

- REQUEST:** MAPC recommended rezoning approval for a parcel of land currently zoned R-3 Multi-Family High Density District to a proposed PD-R Residential Planned Development District.
- LOCATION:** The property is located at the terminuses of Bradley Street between Gwen Street and French Street
- APPLICANT/
OWNER:** Robert Abraham, 2608 Duckswater, Jonesboro, AR
Jimmy W. Cox, 298 CR 352 Bono, AR
- PURPOSE:** Owner believes there is a market for the proposed housing development. 44 duplexes (88 dwelling units) which are proposed.
- HISTORY:** The property is an undeveloped portion of the Northgate Addition containing 52 lots which was platted in 1972 and was annexed into the city in 1986.
- SITE
DESCRIPTION:** **Tract Size:** 12.19 acres/531,109.4 sq. ft.
Frontage: N/A.
Topography: Flat.

FUTURE LAND USE PLAN AND ZONING ANALYSIS FOR SUBJECT PROPERTY

Surrounding Conditions:

	<u>ZONING/CURRENT USE</u>	<u>FUTURE LAND USE</u>
Subject Property:	R-1 Multi-Family High Density	Residence Transitional
North of Property:	R-1 Single Family Medium Density Agricultural	Residence Transitional
East of Property:	R-3 Multi-Family High Density Residential subdivision	Residence Transitional
South of Property:	R-3 Multi-Family High Density Residential subdivision	Residence Transitional
Southwest of Property	R-3 Multi-Family High Density Three undeveloped lots owned by CWL	Public Semi-Public and Institutional
West of Property:	R-3 Multi-Family High Density Residential subdivision	Residence Transitional



Adopted Future 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 the proposal and offers the following explanations and findings related to the approval criteria.

Criteria	Explanations and Findings
(a) Consistency of the proposal with the Comprehensive Plan/Land Use Map	The proposed PD-R Residential Planned Development rezoning is consistent with the Land Use Map. The property is recommended as Residence Transitional. Attached two family dwellings are recommended as a land use.
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	The proposal is mainly consistent with the purpose. A deed for the property was not submitted with the application.
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	The proposal is compatible with the surrounding area. The subject property is zoned R-3 as well as the majority of the surrounding area. R-3 zoning allows a maximum density of (18) dwelling units per acre. A much lower density of (7.2) dwelling units per acre is proposed.
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;	The property as subdivided into (52) individual lots is not suitable for the proposed use with the provisions for open space.

(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;	Minimal detrimental effects. As currently subdivided, (19) of the (52) lots meet the lot size zoning requirements for duplexes. A combination of single family and duplexes would yield (71) dwelling units. (88) dwelling units are proposed.
(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	The property was platted and zoned in 1972, annexed into the city in 1986 and has remained undeveloped.
(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	Feasibility of the current conceptual site plan is contingent upon abandonment of all the currently platted easements and street right-of-way.



Vicinity Zoning Map

Master Street Plan/Transportation

The subject property is served by ingress/egress points from Bradley Drive which abut the eastern and western boundaries of the property. Bradley Drive is classified as a local street and has a 60 ft. dedicated right-of-way approaching the west side of property and 50 ft. right-of-way approaching the east side of property.

Other Departmental/Agency Reviews:

Department/Agency	Reports/ Comments	Status
Streets/Sanitation		No objection
Police	Pending	No comments to date
Fire Department		No objection
MPO & Engineering		This property as originally platted is laid out in a grid system that helps provide connections to North Church and Culberhouse. People who already live in this area have stated their preference for greater connectivity, not less. The proposed development is gated, which will kill connectivity to the east and west, for a half mile stretch. Additionally, a north/south connection should be made, along the lines currently platted. Having a gated community in this area has the potential to create a crime problem for both those inside and outside the development, and violates the Crime Prevention Through Environmental Design principles that Jonesboro Police is trying to implement across the city.
Jets	Pending	No objection
Utility Companies	Pending	No objection

Zoning Code Analysis:

The property is currently zoned R-3 High Density Multifamily and was formerly platted as Northgate Addition Subdivision where a portion of the single family homes were constructed to the west. The site lends itself to flood plain challenges which can be overcome with proper engineering of the storm water design.

The property has remained vacant over the years.

Under the existing R-3 District, the gross density could result in 219 apartments being constructed on the property if all the proper platting and right of way abandonment procedures are followed. As noted, the applicant hopes to develop only 88 units in 44 duplex homes.

As noted above, Consistency is achieved with the adopted Land Use Plan which recommends residence transitional uses for the subject area. A preliminary layout has been presented as part of the rezoning which depicts a private drive network giving access to the east as well as the west on Bradley Dr. There are proposed common areas such as garden greenspace and a common house for the residence of the planned community.

Final landscaping details shall be required as part of the Final Development Plan process if the petition is granted. Former applications for abandonment of the affected city right of ways shall be necessary and required in the future. Coordination with the affected adjacent owners such as City Water Light shall be coordinated with the applicant to assure compliance with abandonment procedures.

MAPC RECORD OF PROCEEDINGS: Meeting Held July 9, 2013

Applicant: Mr. George Hamman, Civilogic presented before Commission on behalf of the applicant: Dr. Robert Abraham requesting a rezoning from R-3 High Density Multi-family to PD-R - Planned District for 12.19 acres. Mr. Hamman stated that the applicant would like to place 44 duplexes on 12.19 acres. This is an existing platted subdivision and they would have to abandon the street right of ways. City Water Light owns the 3 lots to the southeast corner, and they have it under investigation under the work of professional title, who will have an answer so that we can make sure that legal description is correct.

Staff:

Mr. Spriggs summarized the staff findings of the report. The proposed PD-R Residential Planned Development rezoning is consistent with the Land Use Map. The property is recommended as Residence Transitional. Attached two family dwellings are recommended as a land use. The issues of right of way abandonment must be submitted for processing under the Code requirements.

Under the existing R-3 District, the gross density could result in 219 apartments being constructed on the property if all the proper platting and right of way abandonments procedures are followed. As noted, the applicant hopes to develop only 88 units in 44 duplex homes.

Public Input:

Kevin Anderson (Resident in Northgate Subdivision), stated that he is one of the younger owners, and has a family with 2 small children. He expressed concerns if this project were not to become possible. What if they don't fill the units with the elderly? This could bring hazards to their subdivision.

Resident in Northgate Subdivision asked if they are going to open Bradely St. from Culberhouse to Church Street.

Mr. Hamman stated that the owner would like to provide a gated community to cater to elderly population, instead of having open rental availability. It would have private streets with private maintenance, with gates on both ends. The resident asked what is the time frame? Mr. Hamman stated that they hope to begin in the Spring.

The residence asked if they could oppose the land development and restrict it to only single family. They noted that they have no crime on their street and don't want there are to depreciate.

Redeen Thomas, (Resident in Northgate Subdivision, 801 Bradley Street. Her main concern is if you put the elderly in there, we have children. The elderly may not be conducive to children running around. You have a lot of units already in the area. It can turn into Section 8 housing. We have had flood issues as well. Culberhouse has lots of accidents.

Mr. Hamman stated that not all the property is the flood plain. It would have to be elevated. We will not make the drainage any worse than it currently is. We will detain the storm water runoff caused by this project.

Commission Action:

Mr. Scurlock asked about the gating mechanism. Mr. Hamman explained that it will have a Knox Box and some form of remote device.

Mr. Joe Tomlinson expressed his concerns about the right of ways. He has a problem doing away with the east/west connection. We have too many cul-de-sacs and a lack of straight east and west streets.

Mr. Kelton explained to the persons that spoke that the density and crime could be worse under the current R-3; these people can build 219 apartments today. They will have less people, less units (88) and it will be gated. It will not be as bad as it could be. They are trying to develop the property with an effort to make it more in harmonious with the property values of the area.

Conclusion:

The MAPC and the Planning Department Staff find that the request to rezone property from R-3 Multi-Family High Density District to PD-R Residential Planned Development District submitted for Case RZ 13-10 should be evaluated based on the above observations and criteria. The following conditions apply:

1. That the proposed development shall satisfy all requirements of the City Engineer and all requirements of the current Stormwater Drainage Design Manual.
2. Final Site Plans shall be submitted, reviewed, and approved by the MAPC prior to any development of the property.
3. The proposed rezoning is contingent upon verification that the plat description submitted with the application corresponds to a deed that verifies the legal description and ownership of the property.
4. Final landscaping details shall be required as part of the Final Development Plan process if the petition is granted.
5. Former applications for abandonment of the affected city right of ways shall be necessary and required in the future.

Mr. Kelton made a motion to place Case: RZ-13-10 on the floor for the consideration of recommendation by MAPC to the City Council that changing the zoning of this property from R-3 Multi-Family High Density District to PD-R Residential Planned Development District is compatible and suitable with the zoning, uses, and character of the surrounding area with the noted conditions. Motion was 2nd by Mr. Scurlock.

Roll Call Vote: Mr. Scurlock- Aye; Mr. Kelton- Aye; Mr. Reece- Aye; Mr. Dover- Aye; Mr. Tomlinson- Nay; Mrs. Schrantz- Aye. **Motion passed 5-1;** Mr. Roberts - Chair.

Respectfully Submitted for Council Consideration,



Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



Bradley Street viewing west toward southeast corner of site.



CWL property located adjacent to the southeast corner of site.



Bradley Street viewing east from southeast corner of site.



French Street located east of site viewing north.



Typical housing along West Forrest Street located south of site.



Bradley Street viewing east toward southwest corner of site.



Bradley Street viewing west from southwest corner of site.



Gwen Street located west of site viewing south.



Undeveloped R-1 property located north of site. View of northern boundary of site.