

City of Jonesboro - City Council
Staff Report – RZ 16-10: 739 Craighead Road
 Municipal Center - 300 S. Church St.
For Consideration by the Council on July 19, 2016

REQUEST: To consider a rezoning of one tract of land containing 2.17 acres more or less.

PURPOSE: A request to consider recommendation to Council by the MAPC a rezoning of 2.17 acres of land located at 739 Craighead Road, from “R-1” Single Family Residential District to “RM-12” Residential multifamily classification allowing for 12 units per net acre.

**APPLICANTS/
OWNER:** TWJD Investments LLC, P.O. Box 1028, Jonesboro, AR 72403

LOCATION: 739 Craighead Road, Jonesboro, AR 72404

SITE DESCRIPTION: **Tract Size:** Approx. **2.17 Acres**
Street Frontage: **81.03 feet along Craighead Road**
Topography: Undeveloped flat.
Existing Development: Undeveloped

SURROUNDING CONDITIONS:

ZONE	LAND USE
North	R-1 Single Family Residential Housing
South	R-1 Single Family Residential Housing
East	Both R-1 and R-2 Residential Housing
West	R-1 Single Family Residential Housing

HISTORY: Currently undeveloped.

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 a Moderate Intensity Growth Sector. A wider mix of land uses is appropriate in the moderate intensity sectors. Control of traffic is probably the most important consideration in this sector. Additionally, good building design, use of quality construction materials, and more abundant landscaping are important considerations in what is approved, more so than the particular use. Limits on hours of operation, lighting standards,

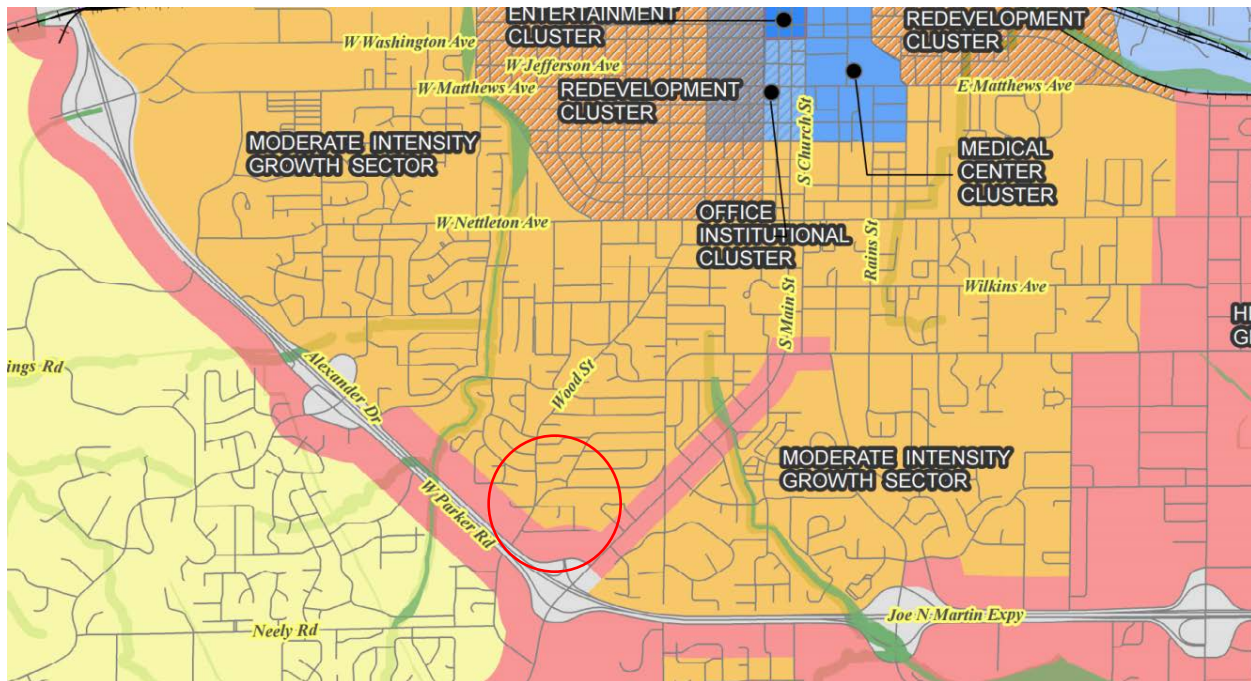
screening from residential uses, etc. may be appropriate. Consideration should be given to appropriate locations of transit stops.

Redevelopment Cluster Recommended Use Types Include:

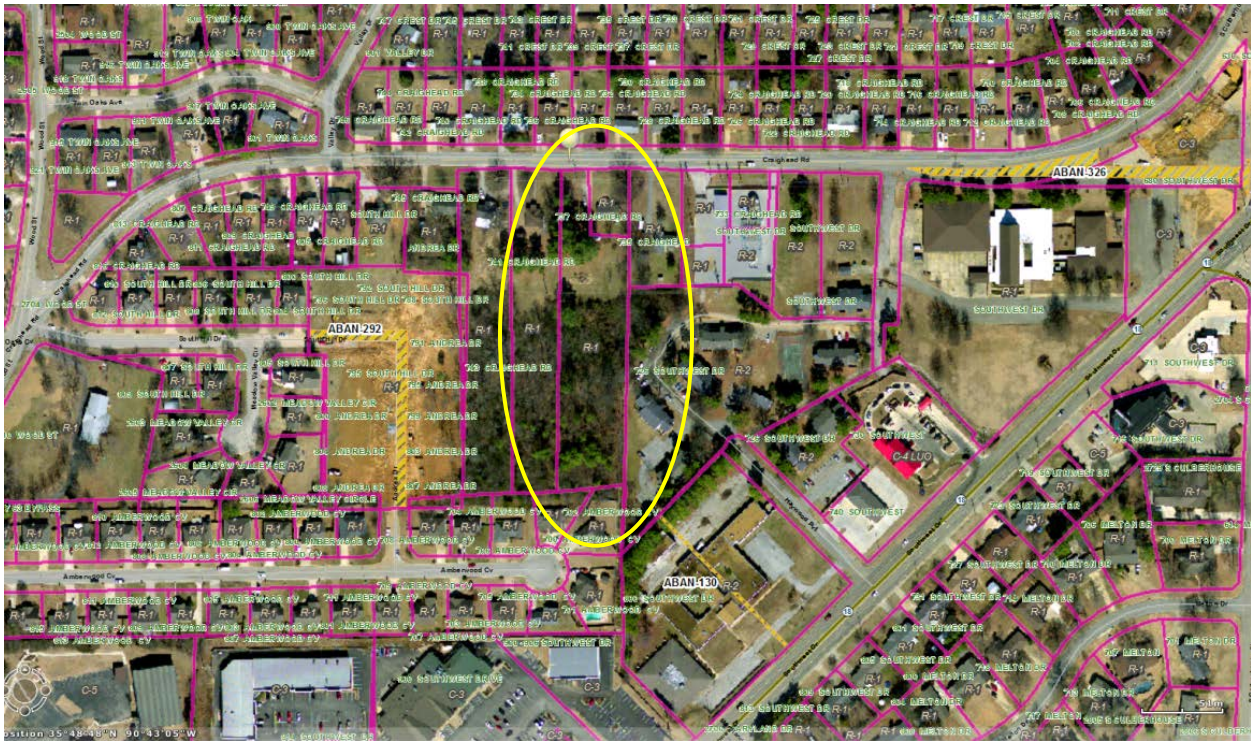
- Single Family Residential
- Attached Single Family Residential, Duplexes, Triplexes, and Fourplexes
- Neighborhood Retail, Neighborhood Services
- Office Parks
- Smaller medical offices
- Libraries, schools, and other public facilities
- Senior living centers/nursing homes, etc.
- Community-serving retail
- Small supermarket
- Convenience store
- Bank
- Barber/beauty shop
- Farmer’s market
- Pocket Park

Master Street Plan/Transportation

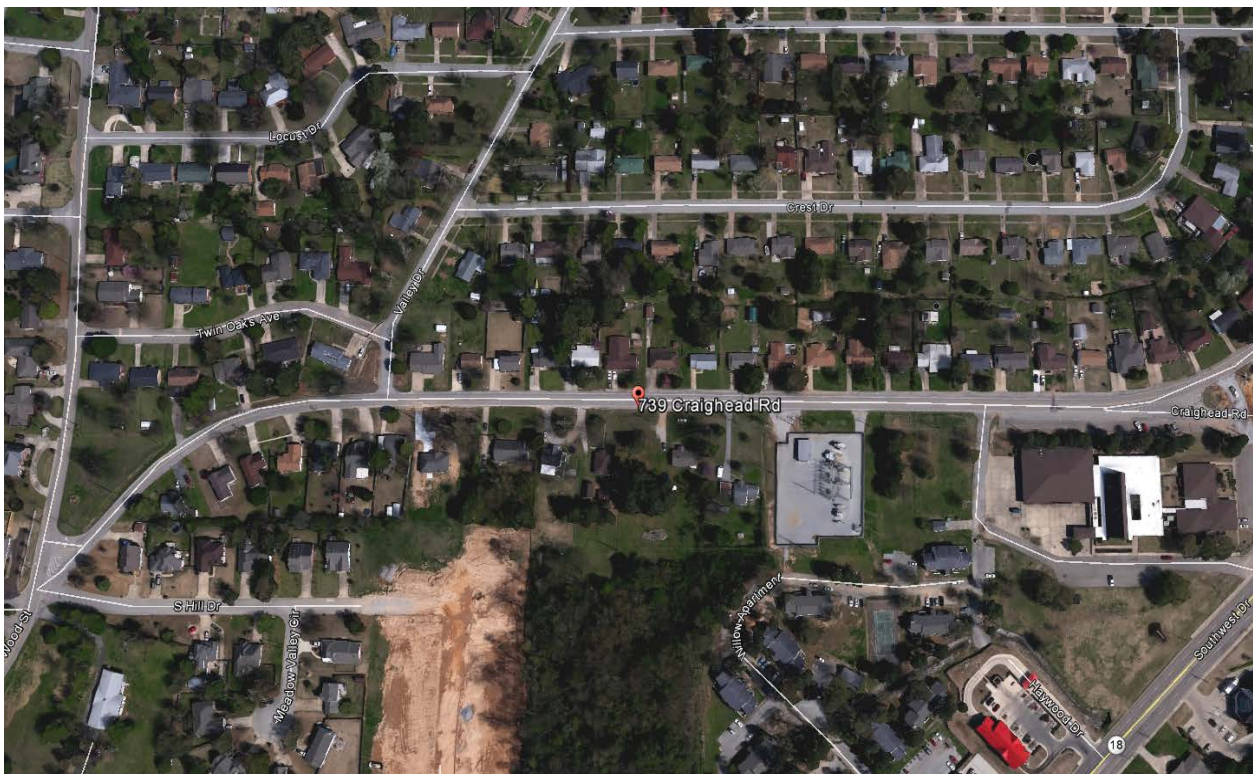
The subject site is served by Craighead Road, which on the Master Street Plan is defined as an Existing Street; the street right-of-ways must adhere to the Master Street Plan.



Adopted Land Use Map










Aerial/Zoning 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 RM-12 rezoning is consistent with the Future Land Use Plan, which was categorized as a Moderate Intensity Growth Sector	
(b) Consistency of the proposal with the purpose of Chapter 117-Zoning.	The proposal will achieve consistency with the purpose of Chapter 117.	
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	Compatibility is achieved. This area already has several lots classified as R-2 surrounding it.	
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment.	Property is suitable for Rm-12 development.	
(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.	This site and use should not be a detriment to the area if controls are implemented to screen and buffer any environmentally sensitive surrounding uses.	
(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.	Property has been undeveloped for several years.	
(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.	Minimal impact if rezoned due to the fact that business currently exist with only minor upgrades.	

Staff Findings:

Applicant’s Purpose:

The applicant purchased the property wanting to build multifamily units according to RM-12 zoning guidelines. The land is currently undeveloped. The applicant feels like he can develop the property while having very little impact on the surrounding area.

Chapter 117 of the City Code of Ordinances/Zoning defines Commercial District as follows:

RM-12 Residential Multifamily Classification. The purpose of this classification is to provide appropriate locations for multifamily residential units. The district allows for all forms of units, duplexes, triplexes, quads, and higher.

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	No objections to this rezoning to date.	
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.	

Zoning Code Allowable Uses:

Below is the Table of Permitted Uses regarding the requested C-3, L.U.O. General District. Certain commercial uses are permitted as of right - “P”, while others require a Conditional Use - “C” approval by the MAPC, or not permitted where blank:

Uses	RM-12	Uses	RM-12
Single Family, Detached		Golf course	P
Single-Family, Attached	P	Government service	P
Duplex, triplex, Fourplex	P	Hospital	P
Emergency Housing Unit		Library	P
Multifamily	P	Medical Services	C
Manufactured Housing Unit	P	Museum	C
Manufactured Housing Unit – Residential Design	P	Nursing Home	C
Manufactured Housing Park		Parks and recreation	P
Group Residential		Post office	
Accessory Dwelling Unit		Recreation/Entertainment, indoor	
Airport or airstrip		Recreation/entertainment, outdoor	
Animal care, general		Safety Services	P
Animal care, limited		School, elementary, middle and high	P
Automated Teller Machine	C	Utility Major	C
Bed and breakfast	C	Utility Minor	P
Cemetery	C	Agriculture, animal	
Church	C	Agriculture, crop	
College or university	P	Agriculture, product sales	
Communication Tower	C		
Convenience Store	C		
Day care, limited(family home)	P		
Day care, general	C		

MAPC RECORD OF PROCEEDINGS: MAPC MEETING HELD ON JUNE 14, 2016

Applicant:

Staff: Mr. Spriggs gave staff summary comments.

The Current/Future Land Use Map recommends this location as a Moderate Intensity Growth Sector. A wider mix of land uses is appropriate in the moderate intensity sectors. Control of traffic is probably the most important consideration in this sector. Additionally, good building design, use of quality construction materials, and more abundant landscaping are important considerations in what is approved, more so than the particular use. Limits on hours of operation, lighting standards, screening from residential uses, etc. may be appropriate. Consideration should be given to appropriate locations of transit stops. With the four-plex buildings, staff feels that the impacts will be minimal. The pre-meeting was held CWL made comments regarding the sewer main connection.

The proposed RM-12 rezoning is consistent with the Future Land Use Plan, which was categorized as a Moderate Intensity Growth Sector

This site and use should not be a detriment to the area if controls are implemented to screen and buffer any environmentally sensitive surrounding uses.

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 16-10, a request to rezone property from "R-1" Single Family Residential District to "RM-12" Multifamily Residential District subject to final site plan approval by the MAPC.

Public Input:

Lynita Cooksey, 700 Amberwood Cove appeared and stated that her preference is single family; however if this is approved she wished that the MAPC would maintain the 90 ft. proposed buffer area to the south, which makes her feel more uncomfortable. There is a huge drainage ravine in the L-shaped property. Commented on the non-definitive items, such as the age 55 and above.

Judy McElroy, spoke about the uncertainty. She spoke to the father and an attorney that said that if you change this then you will change the other property. If you have to do this then please leave the buffer. I prefer it to be single family.

Mr. Drum noted that he is sure about the 90 ft. buffer. The secure financing items such as age restriction are not determined as of yet. It depends on the demand and the age group interest. These will be for-sale condos.

The question was asked on the density calculation under the R-1 District, how many houses could be developed?

Staff: Mr. Spriggs noted 5.6 homes per acre is allowed under R-1; at 2 acres it would gross eleven (11) homes average.

Commission: Mr. Hoelscher asked about a privacy fence.

Staff: Mr. Spriggs recommended a condition that a 6 ft. privacy fence shall be provided only along the property lines where single family homes shall be left to remain.

Conditions were read:

- 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, prior to any redevelopment of the property.**
- 3. Any change of use shall be subject to Planning Commission approval in the future.**
- 4. A final site plan illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering 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. Maximum of units shall be held to 16 units (four-plex buildings).**
- 6. An undisturbed buffer of 70 ft. / 90 ft. to the rear building setback line shall be maintained and shall be noted on the record plat with maintenance agreement kept on file in the Planning Department. A clearing limits plan shall be submitted with site flagging provided.**
- 7. Approval consent from the Fire Marshall shall be obtained the Final Concept Plan is reviewed regarding the ingress egress/access in and out of the property.**
- 8. The owner agrees to modify the petition request to RM-8.**
- 9. The property documents shall be provided to the City, certifying that the applicant has provided all requirements of “familial status” ordered by the Fair Housing Act if the option of age 55 and older is chosen.**
- 10. The Home Owner Association Rules shall be filed and kept in the Planning Department Records.**
- 11. A 6 ft privacy fence shall be provided only along the property lines where single family homes shall be left to remain, excluding the 70 undisturbed buffer area in the rear.**

Motion was made by Mr. Kelton move that we place Case: RZ 16-10 on the floor for consideration of recommendation by MAPC to the City Council with the noted conditions, and we, the MAPC find that changing the zoning of this property from “R-1” Single Family Residential District to the proposed “RM-12”, Multifamily Residential District, 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 MAPC in the future.

A motion was made by Kevin Bailey, seconded by Jim Scurlock, that this matter be Recommended to Council . The motion PASSED with the following vote.

The vote was 6 to 2. Ayes - Mr. Paul Hoelscher; Mr. Ron Kelton; Mr. Jim Scurlock; Mr. Kevin Bailey; Mr. Jimmy Cooper; Dr. Rick Stripling. Nays: Mr. Jerry Reece; Mr. Brant Perkins.

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 16-10, a request to rezone property from “R-1” Single Family Residential District to “RM-12” Multifamily Residential District subject to final site plan approval by the MAPC.

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Respectfully Submitted for Planning Commission Consideration,



Otis T. Spriggs, AICP
Planning & Zoning Director

Sample Motion:

I move that we place Case: RZ 16-10 on the floor for consideration of recommendation by MAPC to the City Council with the noted conditions, and we, the MAPC find that changing the zoning of this property from “R-1” Single Family Residential District to the proposed “RM-12”, Multifamily Residential District, 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 MAPC in the future.

Site Photographs



View looking North



View looking South



View looking East



View looking West