

City of Jonesboro Metropolitan Area Planning Commission
Staff Report – RZ 22-09: North of 804 Belt Street
Municipal Center - 300 S. Church St.
For Consideration by the MAPC Commission on June 14th, 2022

REQUEST: To consider a rezoning for one tract of land containing 0.95 acres more or less.

PURPOSE: A request to consider recommendation to Council for a rezoning from “R-1” Single-Family Medium Density District, to “RM-16”, Residential Multifamily 16 Units per Acre

**APPLICANTS/
OWNER:** Weston Wagner, 336 Natchez Drive, Jonesboro, AR 72404

LOCATION: North of 804 Belt Street

**SITE
DESCRIPTION:** **Tract Size:** Approx. 0.95 Acres
Street Frontage: 0
Topography: Predominately Flat
Existing Development: Undeveloped

SURROUNDING CONDITIONS:

ZONE	LAND USE
North	R-1 Single-Family Medium Density District
South	R-3 Multi-Family High Density District
East	R-1 Single-Family Medium Density District
West	R-3 Multi-Family High Density District

HISTORY: Vacant

PHYSICAL CHARACTERISTICS: Wooded Lot

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 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.

Moderate Intensity Recommended Use Types Include:

- Single Family Residential
- Attached Single Family, duplexes,
- triplexes and fourplexes
- Neighborhood retail, Neighborhood services Office parks
- Smaller medical offices
- Libraries, schools, 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

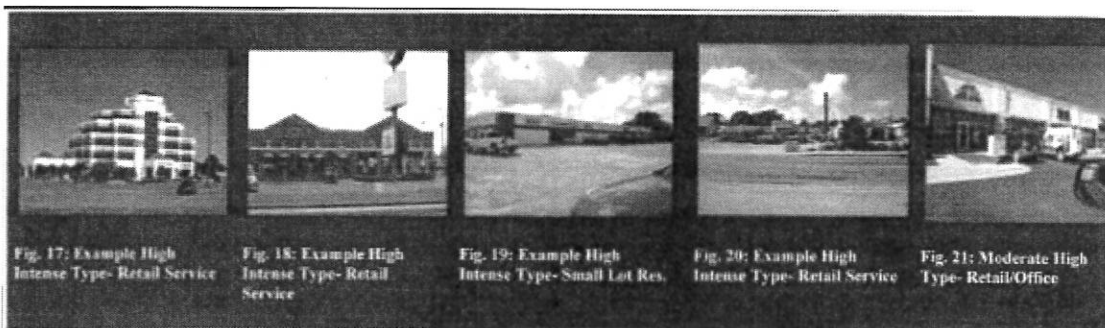
Density: 1/5 to 1/3 acre lots for Single Family

No more than six dwelling units per acre for Multi-Family. Multi-Family should only be allowed on collector and above streets that have been

improved or scheduled to be improved in the next construction cycle of city projects unless the developer is willing to build the roads to Master Street Plan stands that serve the development

Height: 4 stories

Traffic: Approximately 300 peak hour trips (Commercial Only)





Master Street Plan

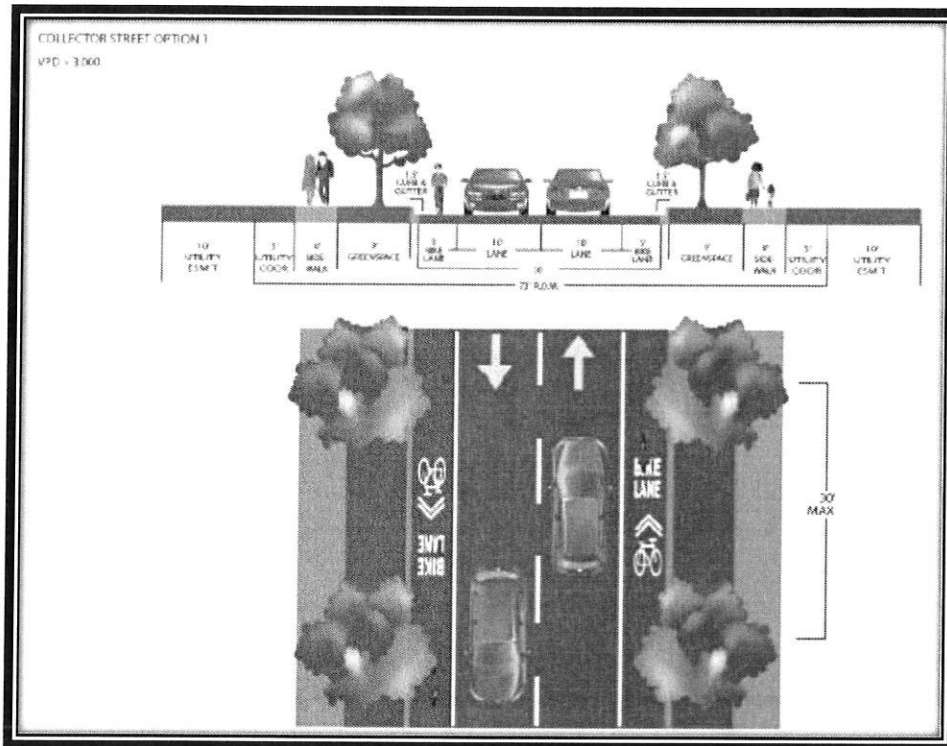
Master Street Plan/Transportation

The subject property is served by Belt Street. The Master Street Plan classifies Belt Street as a Collector. The applicant will be required to adhere to the Master Street Plan recommendations.

Collectors provide for traffic movement between arterials and local streets. They carry moderate traffic volumes over moderate distances and have a higher degree of property access than arterials.

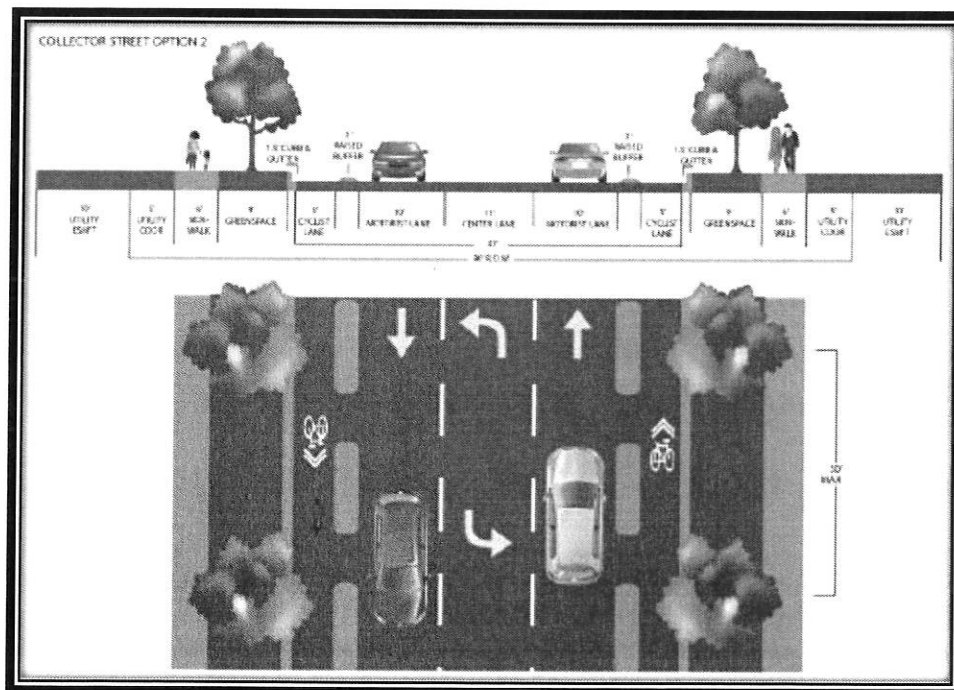
FUNCTION: A Collector Street is the traffic connection from Local Streets to Arterials, with the secondary function of providing access to adjoining property. The Collector system should not be continuous but should direct traffic to Arterials. This class of road is generally at a spacing of a quarter mile. At the time of the subdivision, the exact location and additional need for Collectors will be determined by the MAPC upon advice of the City Staff.

DESIGN: Cross-section selection shall be based on anticipated traffic volume and speed limit, or traffic impact analysis, if applicable. Design in accordance with AASHTO policy on Geometric design of highways and streets (current edition).

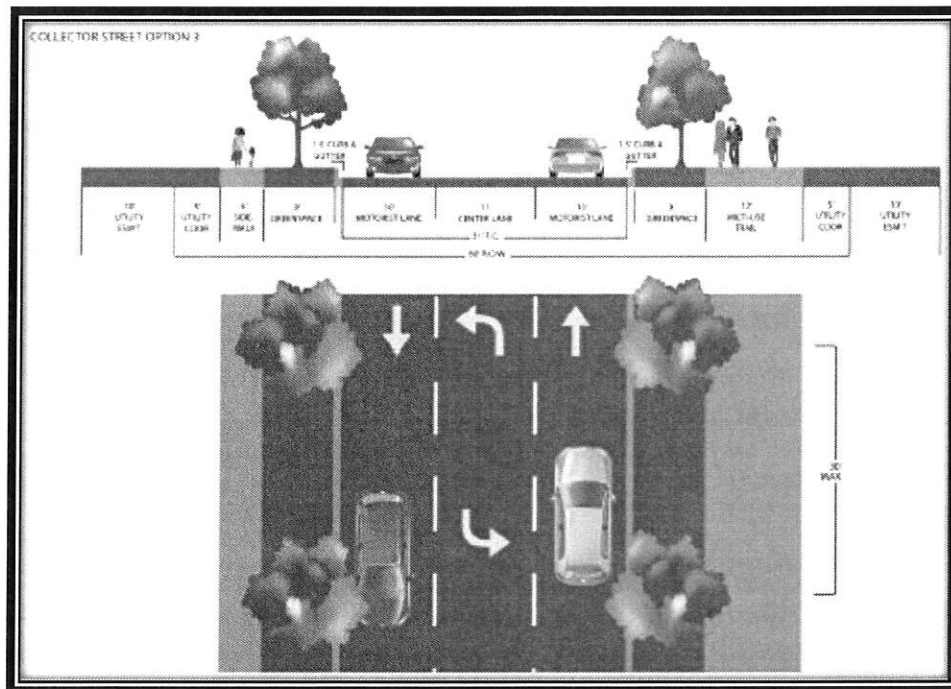


Note: Where VPD is > 3,000 and speed is < 30 mph bike lanes may be utilized.

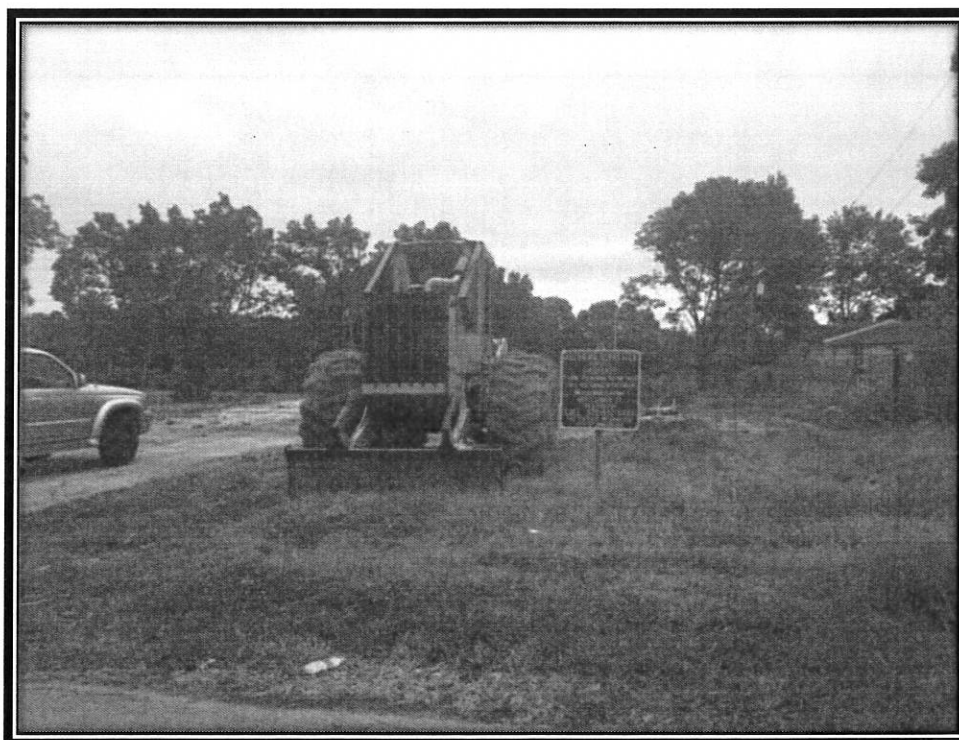
OTHER COLLECTOR DESIGN OPTIONS:



Note: Where VPD is > 3,000 and speed is \geq 30 mph, three foot wide raised buffers should be used.









Note: Where VPD is > 3,000 or speed is ≥ 35 mph, utilize multi-use trail.



Rezoning Sign Location

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 list.

Criteria	Explanations and Findings	Comply Y/N
(a) Consistency of the proposal with the Comprehensive Plan/Land Use Map	The proposed district rezoning is not consistent with the Adopted Land Use Plan, which was categorized as Moderate Intensity Sector.	
(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 District standards.	
(c) Compatibility of the proposal with the zoning, uses and character of the surrounding area.	Compatibility is achieved with this rezoning considering there are multi-family in this area.	
(d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;	Without the proposed zoning map amendment, this property will likely not develop as multi-family. The R-1 Zoning does not allow multi-family.	
(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;	No detrimental or adverse impacts are predicted, if proper assess management controls are implemented.	
(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 residential currently exist in this area.	

Staff Findings:

Applicant's Purpose

The proposed area is currently classified as an R-1 Single Family Residential District. Located north of 804 Belt Street.

Rezoning this property is not consistent with the *Jonesboro Comprehensive Plan* and the *Future Land Use Plan*. However, there are already multi-family homes in the surrounding area.

Chapter 117 of the City Code of Ordinances/Zoning defines RM-16—Residential Multifamily as follows:

Definition of RM-16 Residential multifamily classification; 16 units per net acre, includes 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 issues were reported	
Streets/Sanitation	No issues were reported	
Police	No issues were reported	
Fire Department	No issues were reported	
MPO	No issues were reported	
Jets	No issues were reported	
Utility Companies	No issues were reported	CWL
Code Enforcement	No issues were reported	

Conclusion:

The Planning Department Staff finds that the requested Zone Change submitted for subject parcel, should be evaluated based on the above observations and criteria of Case RZ 22-09 a request to rezone property from “R-1” Single-Family Medium Density District, to “RM-16”, Residential Multifamily 16 units per acre, the following conditions are recommended:

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 and illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, outdoor storage, dumpster enclosure, sidewalks, etc. shall be submitted to the Planning Department prior to any redevelopment of the property.
3. Any change of use shall be subject to Planning Department approval in the future.

Respectfully Submitted for Planning Commission Consideration,

The Planning and Zoning Department

Sample Motion:

I move that we place Case: RZ-22-09 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 “R-1” Single-Family Medium Density District, to “RM-16”, Residential Multifamily 16 units per acre and will be compatible and suitable with the zoning, uses, and character of the surrounding area.

MAPC RECORD OF PROCEEDINGS: PUBLIC HEARING HELD ON JUNE 14, 2022

APPLICANT: Weston Wagner stated he currently has two lots of land there on Belt Street – one at 804 Belt and the parcel right behind that. Currently, one property is divided by two different zonings. The front half of the property is R-3 and the back half is R-1. He is looking to rezone the back half of the property to RM-16. Where the front half is currently R-3 – Multi-Family High Density District, which allows 18 units per acre. RM-16 allows 16 units per acre. He is asking for RM-16 zoning because it is the current zoning closest to an R-3. He directed commissioners to some handouts that weren't submitted in time to be displayed on the screen. He's looking to do a total of 18 units on 1.71 acres.

COMMISSION: Chair Roberts asked for Staff comments from City Planner Derrel Smith. Planning suggests they go to an RM-12 zoning for both properties. It would still allow the density of units that he needs while dropping the density on the front property from 18 to 12, and instead of 16, it would also be 12 on the back. He would get everything he needs but would not be quite as dense. In the past, there has been problems with City Council approving an RM-16.

COMMISSION: Asked the applicant to confirm that would cover all the units he plans.

APPLICANT: Correct. He stated at an RM-12, on 1.71 acres, that should be 20 units and he's only planning 18 units.

STAFF: Derrel Smith said with an RM-12, Staff would recommend approval with these conditions:

1. That the proposed site shall satisfy all the requirements of the City Engineer, all requirements of the current Storm Water Drainage Design Manual, and Flood Plain Regulations regarding any new construction.
2. A final site plan subject to all ordinance requirements illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, outdoor storage, dumpster enclosures, sidewalks, etc. shall be submitted to the Planning Department prior to any redevelopment of the property.
3. Any change of use shall be subject to the Planning Department approval in the future.

COMMISSION: Chair Roberts asked for comments from the public. There were none. He asked for commissioners' questions of Staff or Applicant. Commissioner Cooper asked if the zoning density could be changed later.

STAFF: Derrel Smith stated it could be changed to less, but not more.

COMMISSION: Jim Little asked if he changes his R-3 to RM-12, then is turned down by City Council, if he would still be allowed to keep his R-3 zoning. Chair Roberts and Director Smith answered yes. Commissioner Bailey stated at the pre-meeting a day earlier, it had been discussed with Wager, he would probably need to follow up and go through with a replat. Mr. Bailey asked Mr. Wagner if he was committed to doing that.

APPLICANT: Directed commissioners to a sheet attached to the handouts where he does have it ready but still needs to submit it.

COMMISSION: Mr. Bailey told Mr. Wagner that he has plenty of time to do that, but wanted to confirm that he was to follow through with that.

COMMISSION ACTION:

Mr. Monroe Pointer made a motion to approve Case RZ: 22-09, as submitted, to the City Council with the stipulations that were read by the Planning Department:

1. That the proposed site shall satisfy all the requirements of the City Engineer, all requirements of the current Storm Water Drainage Design Manual, and Flood Plain Regulations regarding any new construction.
2. A final site plan subject to all ordinance requirements illustrating compliance with site requirements for parking, signage, landscaping, fencing, buffering, outdoor storage, dumpster enclosures, sidewalks, etc. shall be submitted to the Planning Department prior to any redevelopment of the property.
3. Any change of use shall be subject to the Planning Department approval in the future.

The MAPC finds to rezone property from R-1, Single-Family Medium Density District, to RM-12, Residential Multifamily 12 units per net acre, for .95+/- acres of land located north of 804 Belt Street. The motion was seconded by Mr. Jim Little.

Roll Call Vote: Aye: 7 – Jimmy Cooper; Jim Little; Dennis Zolper; Kevin Bailey; Monroe Pointer; Stephanie Nelson and Jeff Steiling

Nay: 0



Application for a Zoning Ordinance Map Amendment

METROPOLITAN AREA
PLANNING COMMISSION
Jonesboro, Arkansas

Meeting Date: _____ Date Received: _____
Meeting Deadline: _____ Case Number: _____

LOCATION:

Site Address: NORTH OF 804 BELT ST.

Side of Street: NORTH between N. FISHER ST. and N. ALLIS ST.

Quarter: 7 Section: 7 Township: 14N Range: 4E

Attach a survey plat and legal description of the property proposed for rezoning. A Registered Land Surveyor must prepare this plat.

SITE INFORMATION:

Existing Zoning: R-1 Proposed Zoning: Rm-12

Size of site (square feet and acres): 41,561 Street frontage (feet): 0

Existing Use of the Site: UNDEVELOPED

Character and adequacy of adjoining streets: NONE

Does public water serve the site? NO

If not, how would water service be provided? EXTENDED FROM 804 BELT ST.

Does public sanitary sewer serve the site? NO

If not, how would sewer service be provided? TIED TO SEWER # 02-565 ON PATRICK ST.

Use of adjoining properties:

North Vacant

South Vacant/ Apartment complex

East Single home

West Vacant

Physical characteristics of the site: WOODED LOT

Characteristics of the neighborhood: Residential

Applications will not be considered complete until all items have been supplied. Incomplete applications will not be placed on the Metropolitan Area Planning Commission agenda and will be returned to the applicant. The deadline for submittal of an application is on the public meeting schedule. The Planning staff must determine that the application is complete and adequate before it will be placed on the MAPC agenda.

REZONING INFORMATION:

The applicant is responsible for explaining and justifying the proposed rezoning. *Please prepare an attachment to this application answering each of the following questions in detail:*

- (1). How was the property zoned when the current owner purchased it? R-1
- (2). What is the purpose of the proposed rezoning? Why is the rezoning necessary?
Current zoning doesn't allow duplexes or multi-family housing.
- (3). If rezoned, how would the property be developed and used?
To be combined with 804 Belt st. lot. Residential duplexes to be built on lot.
- (4). What would be the density or intensity of development (e.g. number of residential units; square footage of commercial, institutional, or industrial buildings)? 8-10 Duplexes
- (5). Is the proposed rezoning consistent with the *Jonesboro Comprehensive Plan* and the *Future Land Use Plan*?
Yes
- (6). How would the proposed rezoning be in the public interest and benefit the community?
Additional housing.
- (7). How would the proposed rezoning be compatible with the zoning, uses, and character of the surrounding area?
Similar site plans to surrounding area.
- (8). Are there substantial reasons why the property cannot be used in accordance with existing zoning?
R-1 does not permit duplexes.
- (9). How would the proposed rezoning affect nearby property including impact on property value, traffic, drainage, visual appearance, odor, noise, light, vibration, hours of use or operation and any restriction to the normal and customary use of the affected property. Minimal.
- (10). How long has the property remained vacant?
Unknown.
- (11). What impact would the proposed rezoning and resulting development have on utilities, streets, drainage, parks, open space, fire, police, and emergency medical services?
Minimal.
- (12). If the rezoning is approved, when would development or redevelopment begin?
Within the approved year.
- (13). How do neighbors feel about the proposed rezoning? Please attach minutes of the neighborhood meeting held to discuss the proposed rezoning or notes from individual discussions. *If the proposal has not been discussed with neighbors, please attach a statement explaining the reason. Failure to consult with neighbors may result in delay in hearing the application.*
Notice letters sent to all neighbors with no response.
- (14). If this application is for a Limited Use Overlay (LUO), the applicant must specify all uses desired to be permitted.

OWNERSHIP INFORMATION:

All parties to this application understand that the burden of proof in justifying and demonstrating the need for the proposed rezoning rests with the applicant named below.

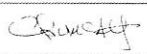
Owner of Record:

I certify that I am the owner of the property that is the subject of this rezoning application and that I represent all owners, including spouses, of the property to be rezoned. I further certify that all information in this application is true and correct to the best of my knowledge.

Name: _____
Address: _____
City, State: _____ ZIP _____
Telephone: _____
Facsimile: _____
Signature: _____

Applicant:

If you are not the Owner of Record, please describe your relationship to the rezoning proposal:

Name: McAlister Engineering PLLC.
Address: 4508 Stadium Blvd. Suite D
City, State: Jonesboro, AR ZIP 72401
Telephone: 870-931-1420
Facsimile: Clarence McAlister
Signature: 

Deed: *Please attach a copy of the deed for the subject property.*

Applications will not be considered complete until all items have been supplied. Incomplete applications will not be placed on the Metropolitan Area Planning Commission agenda and will be returned to the applicant. The deadline for submittal of an application is on the public meeting schedule. The Planning staff must determine that the application is complete and adequate before it will be placed on the MAPC agenda.



Planning Charge Sheet

Residential Approvals – Planning Review (select all that apply) 01-0731:

- | | | |
|---|--|--|
| <input type="checkbox"/> Single Family Dwelling | <input type="checkbox"/> Multiple Family Dwelling | <input type="checkbox"/> Detached/Accessory Bldg |
| <input type="checkbox"/> Single Family Additions | <input type="checkbox"/> Single Family Alterations | <input type="checkbox"/> Swimming Pools |
| <input type="checkbox"/> Walls, Fences, Decks Etc | <input type="checkbox"/> Multi Family Additions | <input type="checkbox"/> Multi Family Accessory Bldg |

Commercial Approvals – Planning Review (select all that apply) 01-0732:

- | | | |
|--|---|--|
| <input type="checkbox"/> Building _____ Sqft. | <input type="checkbox"/> Interior Alterations/Repairs | <input type="checkbox"/> Awnings/Canopies |
| <input type="checkbox"/> Accessory Bldgs, etc. | <input type="checkbox"/> Parking Lots | <input type="checkbox"/> Landfill and Extraction |
| <input type="checkbox"/> Gravel Mining | <input type="checkbox"/> Change of Use | <input type="checkbox"/> Storage Tanks |
| <input type="checkbox"/> Temp Tents, Trailers & Structures | | |

Residential Zoning Districts : (Zoning Map Amendments) 01-0516:

- | | |
|--|-----------------------|
| <input type="checkbox"/> Single Family Districts _____ Acres | |
| <input checked="" type="checkbox"/> Multi Family Districts .95 _____ Acres | \$500 Base Fee + \$95 |

Non-Residential Zoning Districts : (Zoning Map Amendments) 01-0516:

- ☐ Zoning Map Amendments _____ Acres

Special District Applications 01-0516:

- | | |
|---|--|
| <input type="checkbox"/> Village Residential Overlay | <input type="checkbox"/> JMA-O, Jonesboro Municipal Overlay District |
| <input type="checkbox"/> Planned Development District _____ | phase (preliminary, final, modification) |

Board of Zoning Appeals Fee 01-0516:

- | | | | |
|--------------------------------------|-------------------------------------|--|--|
| <input type="checkbox"/> Residential | <input type="checkbox"/> Commercial | <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Compatible Non-Conforming Use |
|--------------------------------------|-------------------------------------|--|--|

Subdivision Planning Fees 01-0733:

- | | |
|--|--|
| <input type="checkbox"/> Minor Plats & Replats | <input type="checkbox"/> Reviews MAPC Approval: _____ Lots _____ Acres |
|--|--|

On/Off-Premise Signage Permits – Planning Review 01-0734:

- | | | |
|--|---|--|
| <input type="checkbox"/> Billboards | <input type="checkbox"/> High Rise Interstate _____ faces | <input type="checkbox"/> Bulletin Board _____ Sqft |
| <input type="checkbox"/> Construction Sign | <input type="checkbox"/> Ground Sign _____ Sqft | <input type="checkbox"/> Wall & Awning _____ Sqft |
| <input type="checkbox"/> Directional Sign _____ Sqft | <input type="checkbox"/> Pole Sign _____ Sqft | <input type="checkbox"/> Marquee Sign _____ Sqft |
| <input type="checkbox"/> Promo Event | <input type="checkbox"/> Special Event Sign | <input type="checkbox"/> Grand Opening Sign |
| <input type="checkbox"/> Corner or Interior Parcel Sign _____ Sqft | Faces _____ | |

Zoning Sign Deposit 01-0155: ☒ 1 _____ Number of Signs \$200 ea.

Mapping and Duplicating Services Per Page 01-0735:

- | | | | |
|---|---|--|--|
| <input type="checkbox"/> 8 1/2" x 11" BW Copies | <input type="checkbox"/> 8 1/2" x 11" Color Map | <input type="checkbox"/> Over Size Page | <input type="checkbox"/> Zoning Resolution |
| <input type="checkbox"/> Zoning Map 36"x50" | <input type="checkbox"/> Land Use (36"x44") | <input type="checkbox"/> 11"x17" Map | |
| <input type="checkbox"/> Property Owner Search/Plat Map | | <input type="checkbox"/> Zoning Certification Letter | |

Third Submittal Reviews:

- | | |
|---|---|
| <input type="checkbox"/> Multi-Family Dwelling Review 01-0731 | <input type="checkbox"/> Commercial / Industrial Review 01-0732 |
|---|---|

Description: Rezoning R-1 to RM-16 Total Amount Due: \$795

Site: Address: 804 Belt Tracking No.: RZ 22-08

W. Wagner

MPearcy

5/12/22

Customer

Customer #

City Official

Date

THIS INSTRUMENT PREPARED BY: J. ROBIN NIX, II, ATTORNEY

WARRANTY DEED

(CORPORATION)

KNOW ALL MEN BY THESE PRESENTS:

THAT **Bear Valley Church of Christ d/b/a Bear Valley Bible Institute of Denver**, by its designated officer, duly authorized by proper resolution of its Elders/Board, for and in consideration of the sum of \$21,000.00, and other good and valuable considerations in hand paid by the **Grantee** herein, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell, and convey unto **Wagner Enterprises & Investments LLC**, and unto **its successors** and assigns forever, the following described land situated in the County of Craighead, State of Arkansas, to-wit:

A part of the Southeast Quarter of the Southeast Quarter of Section 7, Township 14 North, Range 4 East, being more particularly described as follows: From the Southeast corner of the Southeast Quarter of the Southeast Quarter of said Section 7; thence South 89°34'30" West 427.00 feet along the South line of the Southeast Quarter of the Southeast Quarter of said Section 7 to a point; thence South 89°34'30" West 116.70 feet to a point; thence North 00°56'10" East 290.00 feet to the point of beginning; thence continue North 00°56'10" East 130.00 feet to a point; thence North 89°34'30" East 319.70 feet to a point; thence South 00°56'10" West 130.00 feet to a point; thence South 89°34'30" West 319.70 feet to the point of beginning proper, containing 0.954 acres, more or less.

Subject to assessments, building lines, easements, mineral reservations and/or conveyances, restrictions, and any other matters of record or fact.

NOTE: NO TITLE SEARCH WAS PERFORMED.

TO HAVE AND TO HOLD the same unto the said **Grantee** and unto **its successors** and assigns forever, with all appurtenances thereunto belonging.

And **Bear Valley Church of Christ d/b/a Bear Valley Bible Institute of Denver**, a corporation, hereby covenants with said **Grantee** that it will forever warrant and defend the title to the said lands against all claims whatsoever.

IN TESTIMONY WHEREOF, the name of the **grantor** is hereunto fixed by its designated officer this 27th day of April, 2022.

Bear Valley Church of Christ d/b/a Bear Valley Bible Institute of Denver

Dennis Petrillo

Dennis Petrillo, President/authorized signer

ACKNOWLEDGMENT

STATE OF Colorado
COUNTY OF Denver

BE IT REMEMBERED, that on this day came before me the undersigned, a Notary Public duly commissioned qualified and acting, within and for said County and State, in person within named **Dennis Petrillo**, to me personally well known, who stated he is the President/authorized signer of **Bear Valley Church of Christ d/b/a Bear Valley Bible Institute of Denver**, and is duly authorized in his capacity to execute the foregoing instrument for and in the name and behalf of said Grantor, and further stated and acknowledged that he had signed, executed and delivered said foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

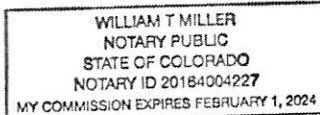
IN TESTIMONY WHEREOF I have hereunto set my hand and official seal this 27 day of April, 2022.

My Commission Expires:

February 01, 2024

[Signature]

Notary Public



I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument.

Buyer: Weston Wagner Address: 336 Natchez Dr.
Jonesboro AR 72464

THE CITY OF JONESBORO
300 S CHURCH ST
JONESBORO AR 72403
870-932-3042

Terminal ID: *****703 ***5
5/12/22 2:04 PM
CAPITAL ONE VISA - INSERT
AID: A0000000031010
ACCT #: *****1816

CREDIT SALE

UID: 213241751238 REF #: 4678

BATCH #: 934 AUTH #: 031469

AMOUNT

\$795.00

APPROVED

ARQC - CC64CCE46B2275AF

CUSTOMER COPY