

Name: North Central Area Land Use Plan Amendment

Location: West of Union Pacific Rail line to Interstate 430, South of Arkansas River to Interstate 630

Request: Various

Source: Staff

PROPOSAL / REQUEST:

As part of the City's efforts to keep the Future Land Use Plan current, Staff reviewed the Plan in the area west of Union Pacific Rail line to Interstate 430, South of Arkansas River to Interstate 630. The package has nine areas with changes; each area has from one to three changes:

Area 1 is south of Markham from Park to Alley east of Schiller. The change is from Residential High Density to Residential Low Density. Residential Low Density provides for single family homes at densities not to exceed 6 units per acre. Such residential development is typically characterized by conventional single family homes, but may include patio or garden homes and cluster homes, provided that the density remain less than 6 units per acre.

Area 2 is at the east end of Ozark Point. The change is from Public Institutional to Park Open Space. Park/Open Space includes all public parks, recreation facilities, greenbelts, flood plains, and other designated open space and recreational land.

Area 3 is generally between Cantrell Road and Brookwood Drive, south of Riverdale Road. There are three changes in this area. Change 03A is from Commercial to Office (either side of Cedar Hill Road, northeast of Cantrell Road). The Office category represents services provided directly to consumers (e.g., legal, financial, medical) as well as general offices which support more basic economic activities. Change 03B is from Office to Commercial (south east of the Cedar Hill/Old Cantrell Road intersection). The Commercial category includes a broad range of retail and wholesale sales of products, personal and professional services, and general business activities. Commercial activities vary in type and scale, depending on the trade area that they serve. Change 03C is from Commercial to Residential High Density northwest of the Cedar Hill Road-Brookwood Drive intersection). Residential High Density accommodates residential development of more than twelve (12) dwelling units per acre.

Area 4 is southeast of the I Street/Monroe Street intersection. The change is from Residential High Density to Residential Low Density. Residential Low Density provides for single family homes at densities not to exceed 6 units per acre. Such residential development is typically characterized by conventional single family homes, but may include patio or garden homes and cluster homes, provided that the density remain less than 6 units per acre.

Area 5 is either side of Tyler Street between G and H Streets. There are two changes in this area. Change 05A is from Residential Low Density to Public Institutional (west of Tyler between G and H Streets). Public Institutional includes public and quasi-public facilities that provide a variety of services to the community such as schools, libraries, fire stations, churches, utility substations, and hospitals. Change 05B is from Public Institutional to Residential Low Density (east of Tyler between G and H Streets). Residential Low Density provides for single family homes at densities not to exceed 6 units per acre. Such residential development is typically characterized by conventional single family homes, but may include patio or garden homes and cluster homes, provided that the density remain less than 6 units per acre.

Area 6 is generally between Jackson and Harrison, Markham and B Streets. There are two changes in this area. Change 06A is from Residential Low Density to Suburban Office (northeast of Harrison and A Streets). Suburban Office provides for low intensity development of office or office parks in close proximity to lower density residential areas to assure compatibility. A Planned Zoning District is required. Change 06B is from Residential Low Density and Commercial to Office (west of Jackson between A and Markham Streets). The Office category represents services provided directly to consumers (e.g., legal, financial, medical) as well as general offices which support more basic economic activities.

Area 7 is south of H Street, between Buchanan and Pierce Streets. The change is from Residential Low Density to Public Institutional. Public Institutional includes public and quasi-public facilities that provide a variety of services to the community such as schools, libraries, fire stations, churches, utility substations, and hospitals.

Area 8 is north of Markham, between Wingate Drive and Markwood Drive. The change is from Residential High Density to Residential Medium Density. Residential Medium Density accommodates a broad range of housing types including single family attached, single family detached, duplex, town homes, multi-family and patio or garden homes. Any combination of these and possibly other housing types may fall in this category provided that the density is between six (6) and twelve (12) dwelling units per acre.

Area 9 is generally south of Markham, either side of Oak Lane. There are two changes in this area. Change 9A is from Residential Low Density to Suburban Office (southwest of Markham and Oak Lane). Suburban Office provides for low intensity development of office or office parks in close proximity to lower density residential areas to assure compatibility. A Planned Zoning District is required. Change 9B is from Residential Low Density to Mixed Use (Roosevelt Road to 24th Street, Commerce to Sherman

Streets). Mixed Use provides for a mixture of residential, office and commercial uses to occur. A Planned Zoning District is required if the use is entirely office or commercial or if the use is a mixture of the three.

ANALYSIS:

The Planning and Development staff began reviewing this area in March 2015. The existing development pattern, as well as existing zoning and recent re-classification actions were reviewed. After field visits and staff discussions, letters were sent to all neighborhood associations in the area asking for suggested changes in the area. No recommendations were forthcoming to Staff. Staff then developed a package of changes and identified affected property owners. All the affected property owners were contacted about the possibility of changing the Land Use Plan designation of their property in July 2015. Staff received numerous phone calls and email responses to that letter notifying them of the proposed changes. Most contacts were informational only. There were several written requests not to make the suggested change for the properties (South of Markham/3rd Street to the Railroad, east of Barton - proposed change from Residential Low Density, Residential High Density and Park/Open Space to Residential Medium Density; and Southwest of the Riverdale Road – Brookwood Drive intersection – proposed change from Commercial to Service Trades District.) Staff modified the package removing both of these areas from the package. The final package of changes was developed and property owners together with neighborhood associations were contacted in October 2015 about the public hearing to consider the changes.

Staff believes this package of changes is a 'clean-up' to more accurately reflect the current and likely future development pattern in the area of the changes. This resulting 'package' of changes should create a more accurate Future Land Use Plan that all can use, whether public or private.

Area 1 is south of Markham from Park to Alley east of Schiller. The change is from Residential High Density to Residential Low Density. To the north and east is zoned R-3 (Single Family District) with some R-4 (Two-Family District) zoning. There are primarily single-family houses on this land. To the south is zoned C-3 (General Commercial District), O-3 (General Office District), and R-5 (Urban Residential District). The land is partially undeveloped and the remainder is a multi-story office building. To the west is, C-3 (General Commercial) with pet grooming business and an apartment building. The area of change is zoned R-3 (Single Family District) and R-5 (Urban Residential District), with single-family owner occupied homes. The use of the land is not likely to change in the short of mid-term making Residential Low Density a more appropriate designation.

Area 2 is at the east end of Ozark Point. The change is from Public Institutional to Park Open Space. In all directions the land is zoned either R-2 (Single Family District) or R-3 (Single Family District). The areas to the north, south and immediate east are all undeveloped and owned by Central Arkansas Water. To the East is a water treatment facility owned by Central Arkansas Water. The change area is zoned PR (Park District)

and is developed as a City Park under agreement with Central Arkansas Water. The use of the land is not likely to change in the short or mid-term making Park/Open Space a more appropriate designation.

Area 3 is generally between Cantrell Road and Brookwood Drive, south of Riverdale Road. To the north is C-3 (General Commercial District) and I-2 (Light Industrial District) with some PCD (Planned Commercial Districts). The area is a commercial/office area with a mix of restaurants. To the East is O-3 (General Office District) and C-3 (General Commercial District) zoning, with offices and undeveloped tracts. To the south east is C-3 (General Commercial District) and O-2 (General Office District) zoning with businesses and parking. Change 03A is from Commercial to Office (either side of Cedar Hill Road, northeast of Cantrell Road). The area is zoned C-3 (General Commercial District) with two office buildings and a bank. A change to Office is more appropriate with the existing and likely future uses to continue as office uses. Change 03B is from Office to Commercial (south east of the Cedar Hill/Old Cantrell Road intersection). The change area is zoned I-2 (Light Industrial District), C-3 (General Commercial District), and O-2 (General Office District). There are restaurant uses, a health club and a contractor's facility in this area which is not likely to change in the near or mid-term. Change 03C is from Commercial to Residential High Density northwest of the Cedar Hill Road-Brookwood Drive intersection). The change area is C-3 (General Commercial District) with a new apartment complex on the site, which is not likely to change in the short or mid-term.

Area 4 is southeast of the I Street/Monroe Street intersection. The change is from Residential High Density to Residential Low Density. To the north and west is mostly R-2 (Single Family District), with single family detached homes. To the south is zoned C-3 (General Commercial District) with a parking lot. To the east is R-5 (Urban Residential District) zoned land with single-family homes and small apartments. The change area is zoned R-2 (Single Family District) with single-family homes. This is not likely to change in the future making a Residential Low Density designation more appropriate to the use.

Area 5 is either side of Tyler Street between G and H Streets. The surrounding areas are R-2 (Single Family District) and zoned R-3 (Single Family District). There are single-family homes to the south, east and west. To the north is a school and church. Change 05A is from Residential Low Density to Public Institutional (west of Tyler between G and H Streets). The area is zoned R-3 (Single Family District) with part of the school located in the area. This is not likely to change in the future making a Public Institutional designation more appropriate to the use. Change 05B is from Public Institutional to Residential Low Density (east of Tyler between G and H Streets). The area is zoned R-3 (Single Family District) with a single-family home located on the lot. This is not likely to change in the future making a Residential Low Density designation more appropriate to the use.

Area 6 is generally between Jackson and Harrison, Markham and B Streets. To the north is zoned R-3 (Single Family District) with some R-4 (Two-Family District). There are single-family detached homes on these lots. To the south is Zoned PR (Park) and

developed with a football stadium, golf course and other recreational uses. To the east and west is a mix of PCD (Planned Commercial District), POD (Planned Office District), O-3 (General Office District) and C-3 (General Commercial District) zoning. There are restaurants, commercial uses, hotel, and office uses in these areas. Change 06A is from Residential Low Density to Suburban Office (northeast of Harrison and A Streets). The area is zoned PDO (Planned District Office) with the parking area for a medical clinic on the site. This is likely to continue for the near and mid-term making a change to Suburban Office more appropriate. Change 06B is from Residential Low Density and Commercial to Office (west of Jackson between A and Markham Streets). The area is zoned POD (Planned Office District), with a branch bank building on the site. With this development pattern Office would be a more appropriate designation.

Area 7 is south of H Street, between Buchanan and Pierce Streets. The change is from Residential Low Density to Public Institutional. To the north is R-2 (Single Family District) zoned land with a school located on it. To the east and south is R-3 (Single Family District) zoned land with homes. To the west is POD (Planned Office District), R-4 (Two-Family District) and O-3 (General Office District) zoned land with offices and apartments. The change area is zoned R-3 (Single Family District) and O-3 (General Office District) with a branch library on the land. The use is likely to remain a library making Public Institutional the most appropriate designation.

Area 8 is north of Markham, between Wingate Drive and Markwood Drive. The change is from Residential High Density to Residential Medium Density. To the north, east and south is zoned R-2 (Single Family District), with single-family homes to the north and east. To the south is a school. To the west is R-5 (Urban Residential District) zoned land with an apartment complex. To the southwest is R-4 (Two-Family District) zoned land with school playground. The change area is zoned R-2 (Single Family District) and is undeveloped. Due to the configuration and access issues requests for multifamily development have been rejected. With its proximity to both an apartment complex and a single family neighborhood a residential development with a density between the two would seem most appropriate thus the recommendation for Residential Medium Density for this property.

Area 9 is generally south of Markham, either side of Oak Lane. To the north, south and east is generally R-2 (Single Family District) zoned land, with single-family homes. There is a church to the east along Markham. To the west is O-3 (General Office District) zoned land with office buildings. Change 9A is from Residential Low Density to Suburban Office (southwest of Markham and Oak Lane). The change area is zoned O-3 (General Office District) and R-2 (Single Family District) with two offices and a single-family home on the land. This office pattern is likely to continue in the near and mid-term making Suburban office a more appropriate designation. Change 9B is from Residential Low Density to Mixed Use (Roosevelt Road to 24th Street, Commerce to Sherman Streets). The change area is C-3 (General Commercial District) and PCD (Planned Commercial District) with a retail center and two smaller commercial/office uses and a single family house. Due to the location and use pattern Mixed Use would be more appropriate.

NEIGHBORHOOD COMMENTS:

Notices were sent to the following neighborhood associations: Breckenridge NA, Briarwood NA, Capitol View Stiff Station NA, Cedar Hill Terrace, Colony West Home POA, Country Club Heights NA, Eagle Crest NA, Echo Valley POA, Evergreen NA, Foreman Lake Preservation Society, Forest Park NA, Hall High NA, Heights NA, Hillcrest Residents Association, Kingwood NA, Leawood Garden Club, Merriwether NA, Normandy Shannon POA, Overlook POA, Pennbrook/Clover Hill NA, Prospect Terrace Association Inc, River Ridge POA, Riverside NA, Robinwood POA, Sherrill Heights NA, South Normandy POA, Sunnymeade NA, Treasure Hill POA, Wingate POA. Letters were sent to approximately 69 property owners in the area. Staff received several informational calls from area residents as a result of the initial mailing in July. There were requests to not proceed in two areas, which staff is honoring. The second mailing on October 1, 2015 was sent to approximately 39 property owners and the same neighborhood associations to notify them of the public hearing. Staff received a couple of contacts from the second mailing, with one expressing support.

STAFF RECOMMENDATIONS:

This package of amendments is designed to make the Future Land Use Plan more representative of current and likely mid-term future uses for this area. Staff recommends the approval of the amended package of changes.

PLANNING COMMISSION ACTION:

(NOVEMBER 5, 2015)

Walter Malone, Planning Staff reviewed the areas of changes. Staff believes these changes would make the Land Use Plan more reflective of the likely future development patterns in the areas. There was one area of opposition – Area 1. This area is zoned R-3 for the western two-thirds and R-5 for the eastern one-third all but about three of the properties are single-family home owner lots. The one in opposition is a vacant R-3 parcel.

Ms. Tonya Hollifield for Ms. Olivia Hollifield spoke to the Commission. Ms. Hollifield gave some history of the site and indicated it had once been a site suggested for parking for a complex across the street. She wanted to assure that if they wanted to proceed with this option they could, so they would rather the Plan not be changed to Residential Low Density in the area. There was discussion about the positives and negative of changing from Residential High Density and the other factors that might be considered if and when this parcel requested a rezoning to allow a use other than single-family.

Mr. Ben Allen indicated he received a letter with the area discussed as area 3A previously and he did not understand what was being proposed or why it was proposed and how it would affect his property. Mr. Malone gave a brief explanation of the change in that area and how it might affect a property owner and what it did not do. After

discussion Mr. Allen indicated he did not want the change made for his property. Staff indicated they were alright with removing area 3A from the package.

Commissioner Berry moved for the approval of the package of changes with area 3A removed. The Commission voted unanimously 10 for 0 against and one absent to approve the package as amended. Staff noted that the first speaker would want area 1 to be removed from the package as well. After a discussion the Commission voted 10 for 0 against to expunge their vote. A new motion was made to approve the package with areas 1 and 3A removed. By a vote of 10 for 0 against and 1 absent the motion was approved.