



*City of Jonesboro City Council*  
**Staff Report – RZ 11-05: Gerry McGough- Aggie Rd.**  
**Huntington Building - 900 W. Monroe**  
*For Consideration by the Council on March 15, 2011*

**REQUEST:** To consider a rezoning of a parcel of property containing approximately 9.90 acres more or less from R-1 Single Family to PD-(Mixed Use- Single Family/Duplexes (42 units max.) and make recommendation to City Council.

**PURPOSE:** A request to consider approval by the Metropolitan Area Planning Commission and recommend to City Council for final action as PD-M (Mixed Use).

**APPLICANT/ OWNER:** Ms. Gerry McGough, 3700 Aggie Rd., Jonesboro, AR

**LOCATION:** North of aggie Rd, and West of Paragould Drive  
 (Land Northwest of where these two street intersect)

**SITE DESCRIPTION:** Tract Size: Approx. 9.90 +/- acres, 431,298 Sq. ft. +/-  
 Frontage: Approx. 866.13 ft. along Aggie Rd. and 282.87' along Paragould Dr.  
 Topography: Predominantly Flat, Gently Sloping  
 Existing Developmt.: Vacant/ Single Family Home

<b>SURROUNDING CONDITIONS:</b>	<u>ZONE</u>	<u>LAND USE</u>
North:	R-1	Residential
South:	R-1	Residential
East:	R-1	Residential
West:	R-1	Residential
Southwest:	R-1	Meadowview Trailer Park

**HISTORY:** None. Site formerly contained a single family home and an apartment building; one single family home remains.

**ZONING ANALYSIS:** City Planning Staff has reviewed the proposed Zone Change and offers the following findings.

**Approval Criteria- Section 14.44.05, (5a-g)- 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:

- (a) Consistency of the proposal with the Comprehensive Plan

- (b) Consistency of the proposal with the purpose of the zoning ordinance.
- (c) Compatibility of the proposal with the zoning, uses and character of the surrounding area;
- (d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;
- (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;
- (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
- (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.

**COMPREHENSIVE PLAN FUTURE LAND USE MAP**

The Future Land Use Map adopted on January 5, 2010 shows this area to be within the Northeast Sector and is recommended as Low Density Single Family Residential District Area. The proposed change is partially consistent with the Land Use Plan; however, the density at a level of 4.3 is lower than typical “R-1” density levels which yield 5.4 units per acre.



**Zoning/Vicinity Map**

## **MAPC Public Hearing: Record of Proceedings on March 8, 2011:**

**Applicant: Mr. Hamman**, Civilogic. Spoke on behalf of the owner Ms. McGough who is on retirement and out of town. She owns this land at Paragould and Aggie Rd. wants to make this a PD- Mixed use maximum of 28 lots/42 units; nothing more than a duplex, with turnarounds and garages on each units with dedicated streets with drainage plans. No street parking. This is the layout of choice but could change slightly.

**Mr. Tomlinson** asked what is the Master Street Plan right of way for Aggie Rd.? **Craig Light** noted that it is 80 ft. **George Hamman** noted that the owner would agree to donate the additional right of way to achieve 40 ft. from center. **Mr. Tomlinson** stated that density is important to him and it appears that this is lower than the current R-1 density. **Mr. Spriggs** noted that the proposal is 4.3 units per acre as opposed to the existing R-1 Zoning which is 5.4 units per acre density.

**Mr. Hamman** stated that the McGough's want to build a home on lot 23, her husband has health problems. They have floor plans in the works. She is not going to restrict who she sells these lots to, but wants the flexibility to be able to allow a duplex (8 to 10 lots) where someone needing assistance could have the provider live next door.

**Opponents:** 7 opposed.

**Evonne McMinn**, 328 Prospect Farm Rd. This is an area of newer subdivisions- Prospect Farms and Wildwood Estates, where there are professional business and working families living there. We are opposed to the rezoning from R-1. Questions were asked about the items in the application. We don't feel like someone's dream is a substantial reason. We would like to see that it stays R-1 as our own are single family. Next item is on page 6, number 13 concerning minutes from close neighbors and they approve. We knocked 50 doors and could not find anyone who approves. No one had heard of it until the signs went up. Eddie Forster owns the other half of the pond to be used as an amenity. He was against that. He could not attend, he is out of town. We would like to see those neighborhood meeting minutes. The Police Department website quotes date from 2010, February 1<sup>st</sup> through December 2010- 59 accidents on Aggie Rd. were reported. From January 11<sup>th</sup> to February 28<sup>th</sup>; 5 accidents were reported on Aggie Rd. which is very congested. Traffic is going and coming all day long. Speed signs aren't obeyed. I am not opposed to complexes if the were further down and not in that curve area, which have no shoulders or curbs. We are requesting that this remain single family R-1.

**Staff Comments: Mr. Spriggs** noted that because of the housing laws, unfortunately we cannot restrict or guarantee that the owners will be the elderly. Having met with Mrs. McGough I felt confident that she is passionate about what she is proposing; but there is no way to restrict the housing to any group or single living or retirement community. Staff has no issue with the density proposed. The owner is limiting it to 14 attached unit lots. We are aware of the Aggie Rd./Paragould project that would take out the curb. The style of the units are also controlled by the owners proposed conditions that have been incorporated into staff's 13 conditions for approval.

**Mr. Scurlock** asked about what the Lake changes that Mr. Forster has proposed to do to the lake would affect the drainage of the subject property? **Mr. Hamman** noted that the lake is there for aesthetics.

**Mickey Bridger**, 4214 Corner Stone, Chairman of Countrywood Subdivision, 120 homes off of Aggie Rd. and Airport Rd. We had this same problem with Craig McDaniel, when they turned it

down his similar proposal because of the density. Buses were backed up, people were going through our neighborhood, there is no more room for no more apartments in that area.

**Mr. Kelton:** In regards to the comment of the intended use on restricting the housing. Clearly if that were done it would be in violation of fair housing laws. And since our minutes are subject to F.O.I., I would like to go on record that I was offended by the suggestion, and I will never participate in limiting anybody's right to housing opportunities.

**Mr. Roberts:** Stated that he is requesting a lower density that allowed currently.

**Mr. Scurlock** made motion that we recommendation approval to City Council as PD-MU, subject to the stipulations, with the right of way of 40 ft. from centerline as agreed by owner; Motion was 2<sup>nd</sup> by Mr. Tomlinson.

**Roll Call Vote:** Mr. Hoelscher- Aye; Mr. Roberts- Aye; Mr. Kelton- Nay; Mr. Tomlinson- Aye; Ms. Norris- Aye; Mr. Scurlock- Aye. (5 to 1 vote)

### **Findings:**

The proposed rezoning will result in existing R-1 Residential zoned property being changed to PD-M under the provision of the Planned District standards of the Code of Ordinances, Article 4, Division 2. Although the subject property abuts a single family residence, 9.90 acre site will remain low density with a mixture of single family homes and duplexes.

The owner has revealed the intent of the development which is to provide an environment of serenity in this development. The owner would like to incorporate an area that could be termed a park, near the existing lake. It is also a goal of the developer, to provide a location in Jonesboro, in which some of the future residents could construct duplex units. One of the visions for the development is that the duplexes would combine a residence for an individual or couple that may need assistance, with a residence for the care-giver. In consideration of the dedicated streets, individual lots, a limited number of duplexes, and density similar in nature to R-1 single family, this would seem to be a well planned location for such a development.

### **Density:**

This is a proposed PD (planned Development) Classification, including a maximum of twenty-eight (28) lots, upon which there could be a maximum of fourteen (14) duplexes, yielding an overall maximum of forty-two (42) dwelling units. That calculates to a maximum density of approximately 4.3 units per acre. The applicant proposes and agrees to the stipulations are as follows:

1. Maximum of 28 lots, overall, exclusive of potential amenity area,
2. Streets to be constructed to City of Jonesboro Standards and Specifications, and dedicated to the City of Jonesboro,
3. Minimum lot area of 7,200 square feet, exclusive of the potential amenity area,
4. Mix of single-family dwellings and duplexes for a maximum of forty-two (42) dwelling units,
5. No lot to contain more than two dwelling units,
6. All lots to have driveway turn-arounds to prevent the requirement of backing into the street,
7. Temporary turn-around to be installed at the far west property line for use by City services, emergency services, or both,
8. All residences to have garages,
9. Parking on the streets prohibited,
10. Existing pond along a portion of the north property line shall remain available for use as an amenity.

**Transportation/Access Management:**

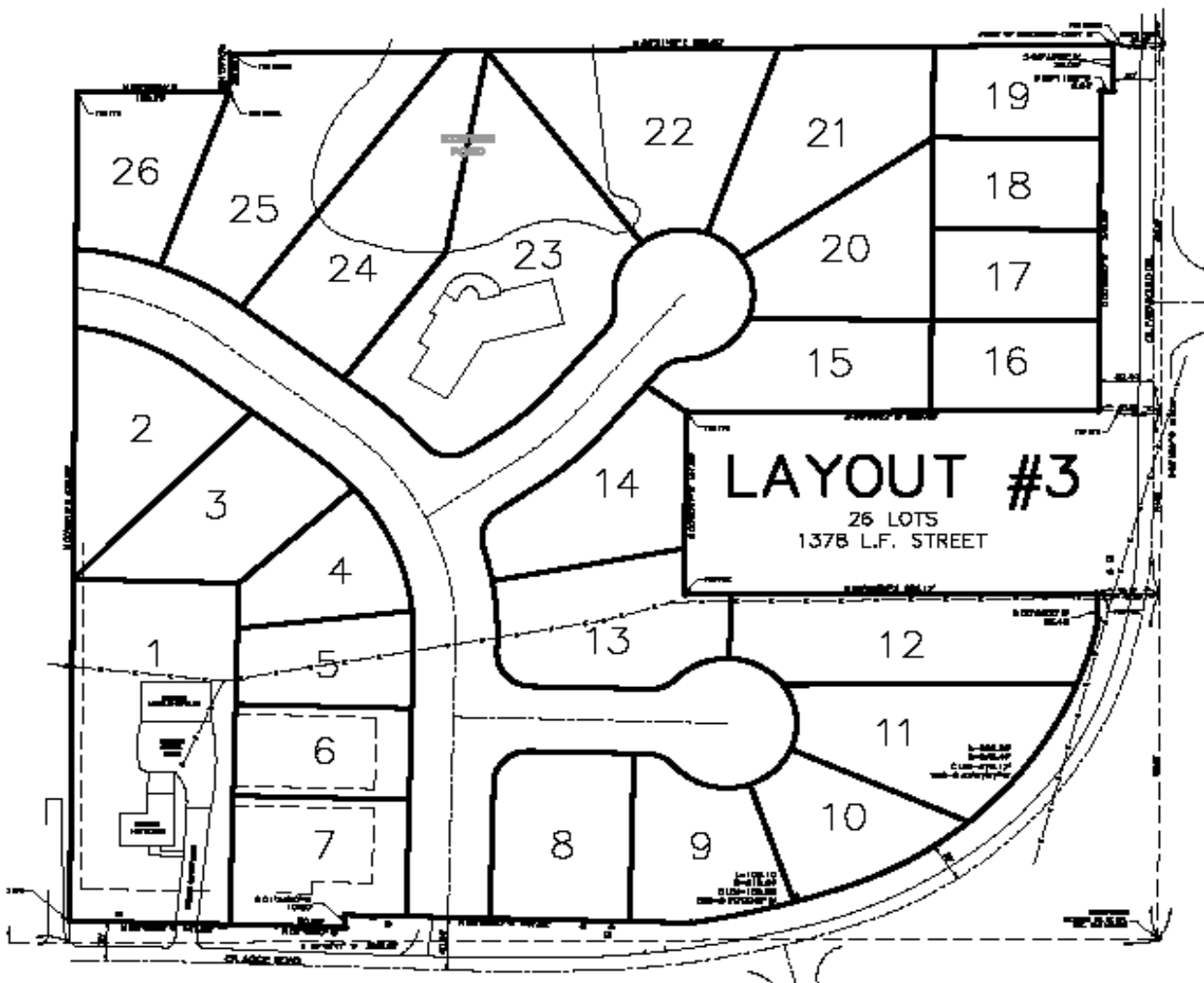
Aggie Road /Paragould Road are listed as Collector Roads on the Master Street Plan; the recommended right of way is 80 ft.

The interior streets within this development are proposed to be dedicated rights-of-way, constructed to the standards and specifications of the City of Jonesboro. Therefore, the interior streets should also be adequate to meet the demand of this development.

There are street improvements being proposed by the City of Jonesboro for to reconstruct the intersection of Aggie Road and Paragould Drive. However, the specific timing of those improvements is not yet well defined.

**Open Space/Common Amenities:**

The site lends itself to residential development, containing some mature vegetation, and reasonably gentle slopes. The site also contains a portion of an existing pond along a portion of the north side. The required open space requirement for PD-M planned mixed use developments is 20%. The applicant must demonstrate compliance to this requirement.



**Conclusion:**

The MAPC and Planning Department Staff find that the requested Zone Change submitted by Gerry McGough should be evaluated based on the above observations and criteria, of Case RZ11-05 a request to rezone property from R-1 & to PD-M, Mixed Use and is recommended to the City Council for approval with the following stipulations:

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 prior to any issuance of Certificate of Occupancy of new uses, all requirements stipulated by all City, state and local agencies shall be satisfied.
3. That a Final Development Plan be submitted and reviewed by the MAPC prior to any future redevelopment of the 9.90 acres.
4. Maximum of 28 lots overall, exclusive of potential amenity area,
5. Streets to be constructed to City of Jonesboro Standards and Specifications, and dedicated to the City of Jonesboro,
6. Minimum lot area of 7,200 square feet, exclusive of the potential amenity area,
7. Mix of single-family dwellings and duplexes for a maximum of forty-two (42) dwelling units,
8. No lot to contain more than two dwelling units,
9. All lots to have driveway turn-arounds to prevent the requirement of backing into the street,
10. Temporary turn-around to be installed at the far west property line for use by City services, emergency services, or both,
11. All residences to have garages,
12. Parking on the streets prohibited,
13. Existing pond along a portion of the north property line shall remain available for use as an amenity.
14. The Owner agrees to dedicate all required right of way of 40 ft. from centerline.

Respectfully Submitted for Council Consideration,



Otis T. Spriggs, AICP  
Planning & Zoning Director

## SITE PHOTOGRAPHS



*View looking North on Prospect Farms Rd. (Site in Background)*



*View looking North toward site*



*View looking North, site in background to the left*



*View from Prospect Farm Rd. Looking West, Site to the right*





*View on site looking North*



*View on site looking West*



*View on site looking Northeast*



*View on site looking south towards Prospect Farm Rd.*



*View Looking North, towards subject property*



*View looking North along Paragould Rd. (Site to the left)*