

City of Fayetteville Staff Review Form

2017-0564

Legistar File ID

10/17/2017

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Andrew Garner

9/29/2017

City Planning /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

RZN 17-5925: Rezone (820 S. GOVERNMENT AVE./BARNES, 562): Submitted by BOB BARNES for property at 820 S. GOVERNMENT AVE. The property is zoned RMF-24, RESIDENTIAL MULTI FAMILY, 24 UNITS PER ACRE, MSC, MAIN STREET CENTER, AND I-1, HEAVY COMMERCIAL & LIGHT INDUSTRIAL and contains approximately 1.73 acres. The request is to rezone the property to I-1, HEAVY COMMERCIAL & LIGHT INDUSTRIAL.

Budget Impact:

Account Number	Fund
Project Number	Project Title
Budgeted Item? <u>NA</u>	Current Budget \$ -
	Funds Obligated \$ -
	Current Balance \$ -
Does item have a cost? <u>No</u>	Item Cost
Budget Adjustment Attached? <u>NA</u>	Budget Adjustment
	Remaining Budget \$ -

V20140710

Previous Ordinance or Resolution # _____

Original Contract Number: _____

Approval Date: _____

Comments:



CITY COUNCIL AGENDA MEMO

MEETING OF OCTOBER 17, 2017

TO: Mayor, Fayetteville City Council

THRU: Andrew Garner, Planning Director

FROM: Jonathan Curth, Senior Planner

DATE: September 29, 2017

SUBJECT: RZN 17-5925: Rezone (820 S. GOVERNMENT AVE./BARNES, 562): Submitted by BOB BARNES for property at 820 S. GOVERNMENT AVE. The property is zoned RMF-24, RESIDENTIAL MULTI FAMILY, 24 UNITS PER ACRE, MSC, MAIN STREET CENTER, AND I-1, HEAVY COMMERCIAL & LIGHT INDUSTRIAL and contains approximately 1.73 acres. The request is to rezone the property to I-1, HEAVY COMMERCIAL & LIGHT INDUSTRIAL.

RECOMMENDATION:

The City Planning staff and Planning Commission recommend approval of an ordinance to rezone the subject property to I-1, Heavy Commercial and Light Industrial, as shown in the attached Exhibits 'A' and 'B'.

BACKGROUND:

The subject property is located on the east side of South Government Avenue, between Martin Luther King Boulevard to the north and National Street to the south. The property is currently split zoned three ways: MSC, Main Street/Center on the northern half, RMF-24, Residential Multi-family, 24 Units per Acre on the southern half, and a sliver of I-1, Heavy Commercial and Light Industrial, along the southeastern property line. Although the property has been developed since the 1920s, it was not annexed in to Fayetteville until 1946. Based on Washington County records and historical aerial imagery of the site since annexation, the property has been consistently used for industrial, warehousing, or transportation uses. This has continued despite the property being subject to an area-wide rezoning to a multi-family designation in the 1970s and a second rezoning to a form-based district during the Downtown Master Plan in 2006.

Request: The request is to rezone the property from RMF-24, Residential Multi-family, 24 Units per Acre, MSC, Main Street/Center, and I-1, Heavy Commercial and Light Industrial, to I-1, Heavy Commercial and Light Industrial. The applicant has operated a trucking business on this site since 1978 and it is permitted to remain as a nonconforming use. In order to improve the property a rezoning is necessary to bring the existing use in to compliance with the zoning code.

Land Use Compatibility: Historically, South Government Avenue and properties near the current rezoning request have been industrial in use and appearance. Through the decades, the area has seen redevelopment and transition from an area of manufacturing, shipping, and warehousing

to include a more diverse mixture of uses. Today, land uses in proximity to the subject property include a church within a former hardwood sales building, several warehouses repurposed by the University of Arkansas for arts department facilities, a recently-constructed multi-family development, the Farmers' Co-op, and some lower-density residential housing.

These varying land uses make assessing compatibility with the rezoning request challenging, but staff feels that the limited land area of the property can act as its own constraint on the intensity of any development, thereby limiting adverse impacts. Given this, coupled with the many years of ongoing industrial activity at the subject property's location without documented issues, staff finds that continued use or development under the permitted uses of the I-1 zoning district will be generally compatible with the wide spectrum of existing industrial, commercial, and residential development. Furthermore, a recent amendment to the City's industrial zoning districts allows restaurant and retail activities as permitted uses.

Land Use Plan Analysis: As with determining land use compatibility, and given the subject property's dual Future Land Use Map designations of City Neighborhood Area and Complete Neighborhood Plan, assessing land use plan compatibility for the current rezoning request is difficult. While the City Neighborhood Area designation does not preclude development of heavy commercial or light industrial uses, it clearly advocates for a varying mix of nonresidential and residential uses, which the I-1 zoning district does not permit.

Despite this, not all properties within the City Neighborhood Area designation must accommodate a mix of uses, and in some instances, can promote employment opportunities adjacent to residential areas in a manner that reduces the number of vehicle trips while also taking advantage of a connecting transportation corridor. This is supported by the Downtown Master Plan when addressing the Mill District, which is loosely defined to include the properties near Martin Luther King Boulevard, between Government Avenue in the West and School Avenue in the East. The Downtown Master Plan calls for the encouragement of existing industrial uses to remain in the Mill District to provide a different type of jobs than those in the core. Given these findings, staff contends that the proposed rezoning meets the intent of City Plan 2030 and the Downtown Master Plan.

DISCUSSION:

On September 25, 2017, the Planning Commission forwarded the proposal to City Council with a recommendation for approval passed by a vote of 6-2-0. Commissioners Brown and Niederman voted 'no'.

BUDGET/STAFF IMPACT:

N/A

Attachments:

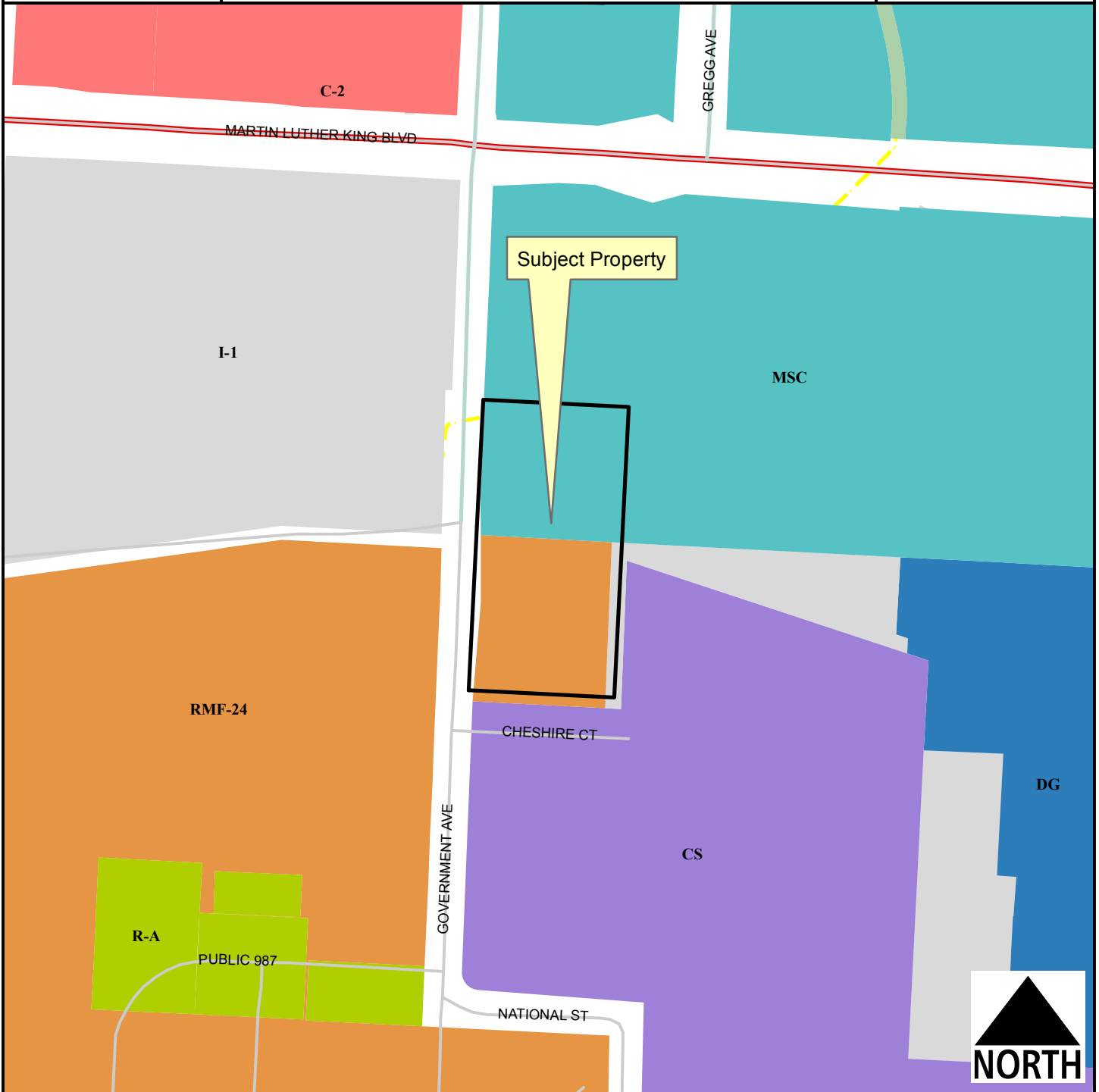
- Exhibit A
- Exhibit B
- Application
- Planning Commission Staff Report

RZN17-5925

BARNES

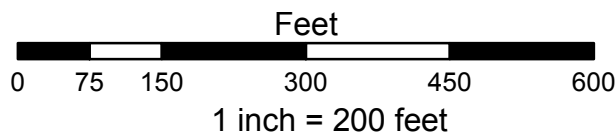
17-5925
EXHIBIT 'A'

Close Up View



Legend

- Planning Area
- Fayetteville City Limits
- Shared Use Paved Trail
- Building Footprint



- Residential-Agricultural
- RMF-24
- I-1 Heavy Commercial and Light Industrial
- C-2
- Main Street Center
- Downtown General
- Community Services
- P-1

17-5925

EXHIBIT 'B'

Part of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NE 1/4) and part of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) of Section 21, in Township 16 North of Range 30 Thirty West of the Firth Principal Meridian, and being more particularly described as follows, to-wit: Beginning at a

point on the East line of Government Avenue (Cemetery Street) at an iron stake, said point being 50 feet West and 574 feet South of the North West corner of Lot 14 in Block 23 of Ferguson's Addition to the City of Fayetteville, Arkansas, as per the recorded plat thereof, and running thence East 200 feet; thence North 400 feet; thence West 200 feet to a point on E. Government Ave.; thence South along East line of Government Ave. 400 feet to the point of beginning.

And a quit claim interest in and to all land lying immediately north of the above-described real property and south of the center line of the industrial lead (north tract) of the main tract of the St. Louis and San Francisco Railroad.

CITY OF FAYETTEVILLE, ARKANSAS

REZONING

FOR STAFF USE ONLY	FEE: \$325.00
Date Application Submitted:	Sign Fee: \$5.00
Date Accepted as Complete:	S-T-R:
Case / Appeal Number: <u>5925</u>	PP#: <u>562</u>
Public Hearing Date:	Zone:

Please fill out this form completely, supplying all necessary information and documentation to support your request. Your application will not be placed on the Planning Commission agenda until this information is furnished.

Application:

Indicate one contact person for this request: Applicant Representative

Applicant (person making request):

Representative (engineer, surveyor, realtor, etc.):

Name: Bob Barnes

Name: _____

Address: PO Box 988
FARMINGTON AR 72730

Address: _____

E-mail: rdbarnestrucking@gmail.com

E-mail: _____

Phone: (479) 521-3510
() 263-6600

Phone: () _____
() _____

Fax: (479) 521-8588

Fax: () _____

Site Address / Location: 820 S. GOVERNMENT AVE

Current Zoning District: RMF 24

Requested Zoning District: F-1

Assessor's Parcel Number(s) for subject property: 765-14937-000

1.73 ac

FINANCIAL INTERESTS

The following entities and / or people have financial interest in this project:

BARNES FAMILY TRUST

APPLICANT / REPRESENTATIVE: I certify under penalty of perjury that the foregoing statements and answers herein made all data, information, and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incorrect or false information is grounds for invalidation of application completeness, determination, or approval. I understand that the City might not approve what I am applying for, or might set conditions on approval.

Name (printed): Bob Beames Date: 8-16-17

Signature: Bob Beames

PROPERTY OWNER(S) / AUTHORIZED AGENT: I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application and that I/we have read this application and consent to its filing. (If signed by the authorized agent, a letter from each property owner must be provided indicating that the agent is authorized to act on his/her behalf.)

Property Owners of Record (attach additional info if necessary):

Name (printed): Bob Beames Address: PO BOX 988
FARMINGTON, AR 72728
Signature: Bob Beames
Date: 8-16-17 Phone: (479) 521-3510

Name (printed): Steve Beames Address: PO BOX 751
FARMINGTON, AR 72728
Signature: Steve Beames
Date: 8-16-17 Phone: (479) 790-0587

Rezoning Checklist:

Attach the following items to this application:

- (1) Payment in full of applicable fees for processing the application:
\$325.00 application fee
\$5.00 public notification sign fee
- (2) A legal description of the property to be rezoned. A survey may be required if the property description can not accurately be platted or if it is described by referring to other deeds.
- (3) CD containing a copy of the legal description in MS Word and all required submittal items should be also included on the CD in PDF format.
- (4) A copy of the county parcel map from the Washington County Assessor's office or from the Washington County website (www.co.washington.ar.us). The subject property and all adjacent parcels should be identified on this parcel map. The owner's name, official mailing address, and the parcel number for every adjacent property shall be shown on this map.



PLANNING COMMISSION MEMO

TO: City of Fayetteville Planning Commission

THRU: Andrew Garner, City Planning Director

FROM: Jonathan Curth, Senior Planner

MEETING DATE: September 25, 2017 (**Updated with Planning Commission Results**)

SUBJECT: **RZN 17-5925: Rezone (820 S. GOVERNMENT AVE./BARNES, 562):** Submitted by BOB BARNES for property at 820 S. GOVERNMENT AVE. The property is zoned RMF-24, RESIDENTIAL MULTI FAMILY, 24 UNITS PER ACRE, MSC, MAIN STREET CENTER, AND I-1, HEAVY COMMERCIAL & LIGHT INDUSTRIAL and contains approximately 1.73 acres. The request is to rezone the property to I-1, HEAVY COMMERCIAL & LIGHT INDUSTRIAL.

RECOMMENDATION:

Staff recommends forwarding **RZN 17-5925** to the City Council with a recommendation for approval based upon the findings herein.

BACKGROUND:

The subject property is located on the east side of South Government Avenue, between Martin Luther King Boulevard to the north and National Street to the south. The property is currently split zoned three ways: MSC, Main Street/Center on the northern half, RMF-24, Residential Multi-family, 24 Units per Acre on the southern half, and a sliver of I-1, Heavy Commercial and Light Industrial, along the southeastern property line. Although the property has been developed since the 1920s, it was not annexed in to Fayetteville until 1946. Based on Washington County records and historical aerial imagery of the site since annexation, the property has been consistently used for industrial, warehousing, or transportation uses. This has continued despite the property being subject to an area-wide rezoning to a multi-family designation in the 1970s and a second rezoning to a form-based district during the Downtown Master Plan in 2006. Surrounding land use and zoning is depicted on *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction from Site	Land Use	Zoning
North	Church	MSC, Main Street/Center
South	Multi-family Residential	CS, Commercial Services
East	Farmers' Cooperative; Undeveloped (Riparian Corridor) Parking Lot	MSC, Main Street/Center; I-1, Heavy Commercial and Light Industrial; CS, Community Services
West	University of Arkansas Property; Single-family Residential	I-1, Heavy Commercial and Light Industrial; RMF-24, Residential Multi-family, 24 Units per Acre

Request: The request is to rezone the property from RMF-24, Residential Multi-family, 24 Units per Acre, MSC, Main Street/Center, and I-1, Heavy Commercial and Light Industrial, to I-1, Heavy Commercial and Light Industrial. The applicant has operated a trucking business on this site since 1978 and it is permitted to remain as a nonconforming use. In order to improve the property a rezoning is necessary to bring the existing use in to compliance with the zoning code.

Public Comment: Staff has received no public comment.

INFRASTRUCTURE:

Streets: The subject property has access to South Government Avenue, which has a dual classification of ST 45 along the frontage zoned MSC and Local Street along the frontage zoned RMF-24. Any street improvements required in these areas would be determined at the time of development proposal.

Water: Public water is available to this property. There is an existing 12-inch water main within the Government Avenue right-of-way.

Sewer: Sanitary Sewer is available to this property. There is an existing 8-inch sewer line within the Government Avenue right-of-way.

Drainage: Any additional improvements or requirements for drainage will be determined at time of development. No portion of this property is identified as FEMA-regulated floodplain. The Tanglewood Branch stream runs north-south just offsite to the east of this property. No portions of these parcels lies within the Hillside-Hilltop Overlay District.

Fire: The Fire Department did not express any concerns with this request.

Police: The Police Department did not express any concerns with this request.

CITY PLAN 2025 FUTURE LAND USE PLAN: *City Plan 2030 Future Land Use Plan designates the property within the proposed rezone as **City Neighborhood Area** and **Complete Neighborhood Plan** in association with the Downtown Master Plan.*

City Neighborhood Areas are more densely developed than residential neighborhood areas and provide a varying mix of nonresidential and residential uses. The designation supports the widest spectrum of uses and encourages density of all housing types, from single-family to multi-family. Non-residential uses range in size, variety, and intensity from grocery stores and offices to churches and are typically located on corners and along connecting corridors. The Street network should have a high number of intersections creating a system of small blocks with a high level of connectivity between neighborhoods. Setbacks and landscaping are urban in form with street trees typically being located within the sidewalk zone.

FINDINGS OF THE STAFF

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding: **In staff's opinion the rezoning of the subject properties is compatible with the surrounding land uses and adopted land use plans and policies.**

Land Use Compatibility: Historically, South Government Avenue and properties near the current rezoning request have been industrial in use and appearance. Through the decades, the area has seen redevelopment and transition from an area of manufacturing, shipping, and warehousing to include a more diverse mixture of uses. Today, land uses in proximity to the subject property include a church within a former hardwood sales building, several warehouses repurposed by the University of Arkansas for arts department facilities, a recently-constructed multi-family development, the Farmers' Co-op, and some lower-density residential housing.

These varying land uses make assessing compatibility with the rezoning request challenging, but staff feels that the limited land area of the property can act as its own constraint on the intensity of any development, thereby limiting adverse impacts. Given this, coupled with the many years of ongoing industrial activity at the subject property's location without documented issues, staff finds that continued use or development under the permitted uses of the I-1 zoning district will be generally compatible with the wide spectrum of existing industrial, commercial, and residential development. Furthermore, a recent amendment to the City's industrial zoning districts allows restaurant and retail activities as permitted uses.

Land Use Plan Analysis: As with determining land use compatibility, and given the subject property's dual Future Land Use Map designations of City Neighborhood Area and Complete Neighborhood Plan, assessing land use plan compatibility for the current rezoning request is difficult. While the City Neighborhood Area designation does not preclude development of heavy commercial or light industrial uses, it clearly advocates for a varying mix of nonresidential and residential uses, which the I-1 zoning district does not permit.

Despite this, not all properties within the City Neighborhood Area designation must accommodate a mix of uses, and in some instances, can promote employment opportunities adjacent to residential areas in a manner that reduces the number of vehicle trips while also taking advantage of a connecting transportation corridor. This is supported by the Downtown Master Plan when addressing the Mill District, which is loosely defined to include the properties near Martin Luther King Boulevard, between Government Avenue in the West and School Avenue in the East. The Downtown Master Plan calls for the encouragement of existing industrial uses to remain in the Mill District to provide a different type of jobs than those in the core. Given these findings, staff contends that the proposed rezoning meets the intent of City Plan 2030 and the Downtown Master Plan.

2. A determination of whether the proposed zoning is justified and/or needed at the time the rezoning is proposed.

Finding: The proposed rezoning is justified at this time, as it will allow development that is consistent with the land uses on the property and in the area that have been ongoing for decades. The subject property's current split-zoned condition is the result of two City-initiated rezonings: the first in the 1970s

to RMF-24 and the second in 2006 to MSC. Taken in combination, these two rezonings have rendered the existing activity on the property nonconforming, with no ability to expand the business or any existing structures.

3. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding: Rezoning the property to I-1 and R-A will not likely increase traffic danger or appreciably increase congestion at this location. While South Government Avenue is classified as a Local Street, Martin Luther King Boulevard/State Highway 180 is easily accessed to the north and is classified as a Principal Arterial. Proposed curb cuts, improvements to Government Avenue, and off-site improvements will be evaluated at the time of development.

4. A determination as to whether the proposed zoning would alter the population density and thereby undesirably increase the load on public services including schools, water, and sewer facilities.

Finding: Rezoning the property to I-1 will not increase the potential for greater population density. The I-1, Heavy Commercial and Light Industrial zoning district does not allow standalone residential uses by right. Given the location of the property near the fully-improved Martin Luther King Boulevard, with access to public street, water, and sanitary sewer, the rezoning request should not undesirably increase the load on services. Neither the Police nor Fire Departments have expressed objections to the proposal.

5. If there are reasons why the proposed zoning should not be approved in view of considerations under b (1) through (4) above, a determination as to whether the proposed zoning is justified and/or necessitated by peculiar circumstances such as:
 - a. It would be impractical to use the land for any of the uses permitted under its existing zoning classifications;
 - b. There are extenuating circumstances which justify the rezoning even though there are reasons under b (1) through (4) above why the proposed zoning is not desirable.

Finding: N/A

RECOMMENDATION: Staff recommends forwarding **RZN 17-5925** to City Council with a recommendation for approval based on the findings discussed throughout this report.

PLANNING COMMISSION ACTION:				Required	<u>YES</u>
Date: <u>September 25, 2017</u>	<input type="checkbox"/> Tabled	<input checked="" type="checkbox"/> Forwarded	<input type="checkbox"/> Denied		
Motion: Quinlan	Second: Hoffman	Vote: 6-2-0, Brown and Niederman voted 'no'			
CITY COUNCIL ACTION:				Required	<u>YES</u>
Date: Oct.17 (tentative)	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied			

BUDGET/STAFF IMPACT:

None

Attachments:

- Unified Development Code:
 - §161.16, RMF-24, Residential Multi-family, 24 Units per Acre
 - §161.27, MSC, Main Street/Center
 - §161.30, I-1, Heavy Commercial and Light Industrial
- Request Letter
- Downtown Master Plan - Illustrative Map
- Downtown Master Plan – Previous Zoning Designations
- One Mile Map
- Close-Up Map
- Current Land Use Map
- Future Land Use Map

161.16 - District RMF-24, Residential Multi-Family - Twenty-Four (24) Units Per Acre

(A) *Purpose.* The RMF-24 Multi-family Residential District is designed to permit and encourage the developing of a variety of dwelling types in suitable environments in a variety of densities.

(B) *Uses.*

(1) Permitted Uses.

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 26	Multi-family dwellings
Unit 41	Accessory dwellings
Unit 44	Cluster Housing Development

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 11	Manufactured home park
Unit 12a	Limited business
Unit 24	Home occupations
Unit 25	Professional offices
Unit 36	Wireless communications facilities

(C) *Density.*

Units per acre	24 or less
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(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Manufactured home park	100 feet
Lot within a Manufactured home park	50 feet
Single-family	35 feet
Two-family	35 feet
Three or more	70 feet
Professional offices	100 feet

(2) *Lot Area Minimum.*

Manufactured home park	3 acres
Lot within a mobile home park	4,200 square feet
Townhouses: Individual lot	2,000 square feet
Single-family	3,000 square feet
Two (2) family	4,000 square feet
Three (3) or more	7,000 square feet
Fraternity or Sorority	2 acres
Professional offices	1 acres

(3) *Land Area Per Dwelling Unit.*

Manufactured Home	3,000 square feet
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(E) *Setback Requirements.*

Front	Side Other Uses	Side Single & Two (2) Family	Rear Other Uses	Rear Single Family
A build-to zone that is located between the front property line and a line 25 feet from the front property line.	8 feet	5 feet	20 feet	5 feet

(F) *Building Height Regulations.*

Building Height Maximum	30/45/60 feet*
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*A building or a portion of a building that is located between 0 and 10 feet from the front property line or any master street plan right-of-way line shall have a maximum height of 30 feet, between 10—20 feet from the master street plan right-of-way a maximum height of 45 feet and buildings or portions of the building set back greater than 20 feet from the master street plan right-of-way shall have a maximum height of 60 feet.

Any building which exceeds the height of 20 feet shall be set back from any side boundary line of an adjacent single family district, an additional distance of 1 foot for each foot of height in excess of 20 feet.

(G) *Building Area.* The area occupied by all buildings shall not exceed 50% of the total lot area.

(H) *Minimum Buildable Street Frontage.* 50% of the lot width.

(Code 1965, App. A., Art. 5(III); Ord. No. 2320, 4-6-77; Ord. No. 2700, 2-2-81; Code 1991, §160.033; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 5028, 6-19-07; Ord. No. 5079, 11-20-07; Ord. No. 5224, 3-3-09; Ord. No. 5262, 8-4-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5495, 4-17-12; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. [5800](#), § 1(Exh. A), 10-6-15; Ord. No. [5921](#), §1, 11-1-16; Ord. No. [5945](#), §§ 5, 8, 9, 1-17-17)

161.27 - Main Street/Center

(A) *Purpose.* A greater range of uses is expected and encouraged in the Main Street/Center. The Center is more spatially compact and is more likely to have some attached buildings than Downtown General or Neighborhood Conservation. Multi-story buildings in the Center are well-suited to accommodate a mix of uses, such as apartments or offices above shops. Lofts, live/work units, and buildings designed for changing uses over time are appropriate for the Main Street/Center. The Center is within walking distance of the surrounding, primarily residential areas. For the purposes of Chapter 96: Noise Control, the Main Street/Center district is a commercial zone.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 13	Eating places
Unit 14	Hotel, motel, and amusement facilities
Unit 16	Shopping goods
Unit 17	Transportation trades and services
Unit 19	Commercial recreation, small sites
Unit 24	Home occupations
Unit 25	Offices, studios, and related services
Unit 26	Multi-family dwellings
Unit 34	Liquor stores
Unit 41	Accessory dwellings
Unit 44	Cluster Housing Development
Unit 45	Small scale production

Note: Any combination of above uses is permitted upon any lot within this zone. Conditional uses shall need approval when combined with pre-approved uses.

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 18	Gasoline service stations and drive-in/drive through restaurants
Unit 28	Center for collecting recyclable materials
Unit 29	Dance halls

Unit 35	Outdoor music establishments
Unit 36	Wireless communication facilities
Unit 40	Sidewalk Cafes
Unit 42	Clean technologies

(C) *Density* . None.

(D) *Bulk and Area Regulations*.

(1) *Lot Width Minimum*.

Dwelling (all unit types)	18 feet
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(2) *Lot Area Minimum*. None.

(E) *Setback Regulations*.

Front	A build-to zone that is located between the front property line and a line 25 feet from the front property line.
Side	None
Rear	5 feet
Rear, from center line of an alley	12 feet

(F) *Minimum Buildable Street Frontage*. 75% of lot width.

(G) *Building Height Regulations*.

Building Height Maximum	56/84 feet*
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*A building or a portion of a building that is located between 0 and 15 feet from the front property line or any master street plan right-of-way line shall have a maximum height of 56 feet. A building or a portion of a building that is located greater than 15 feet from the master street plan right-of-way line shall have a maximum height of 84 feet.

(Ord. No. 5028, 6-19-07; Ord. No. 5029, 6-19-07; Ord. No. 5042, 8-07-07; Ord. No. 5195, 11-6-08; Ord. No. 5312, 4-20-10; Ord. No. 5339, 8-3-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5735, 1-20-15; Ord. No. [5800](#), § 1(Exh. A), 10-6-15; Ord. No. [5921](#), §1, 11-1-16; Ord. No. [5945](#), §§ 5, 7—9, 1-17-17)

161.30 - District I-1, Heavy Commercial And Light Industrial

(A) *Purpose.* The Heavy Commercial District is designed primarily to accommodate certain commercial and light industrial uses which are compatible with one another but are inappropriate in other commercial or industrial districts. The Light Industrial District is designed to group together a wide range of industrial uses, which do not produce objectionable environmental influences in their operation and appearance. The regulations of this district are intended to provide a degree of compatibility between uses permitted in this district and those in nearby residential districts.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government Facilities
Unit 6	Agriculture
Unit 13	Eating places
Unit 17	Transportation trades and services
Unit 18	Gasoline service stations and drive-in/drive through restaurants
Unit 21	Warehousing and wholesale
Unit 22	Manufacturing
Unit 25	Offices, studios and related services
Unit 27	Wholesale bulk petroleum storage facilities with underground storage tanks
Unit 42	Clean technologies

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 19	Commercial recreation, small sites
Unit 20	Commercial recreation, large sites
Unit 28	Center for collecting recyclable materials
Unit 36	Wireless communications facilities
Unit 38	Mini-storage units

Unit 43	Animal boarding and training
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(C) *Density.* None.

(D) *Bulk and Area Regulations.* None.

(E) *Setback Regulations.*

Front, when adjoining A or R districts	50 feet
Front, when adjoining C, I, or P districts	25 feet
Side, when adjoining A or R districts	50 feet
Side, when adjoining C, I, or P districts	10 feet
Rear	25 feet

(F) *Height Regulations.* There shall be no maximum height limits in I-1 District, provided, however, that any building which exceeds the height of 25 feet shall be set back from any boundary line of any residential district a distance of 1 foot for each foot of height in excess of 25 feet.

(G) *Building Area.* None.

(Code 1965, App. A., Art. 5(VIII); Ord. No. 2351, 6-2-77; Ord. No. 2430, 3-21-78; Ord. No. 2516, 4-3-79; Ord. No. 1747, 6-29-70; Code 1991, §160.039; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 4992, 3-06-07; Ord. No. 5028, 6-19-07; Ord. No. 5195, 11-6-08; Ord. No. 5312, 4-20-10; Ord. No. 5339, 8-3-10; Ord. No. 5353, 9-7-10; Ord. No. 5472; 12-20-11; Ord. No. [5800](#), § 1(Exh. A), 10-6

RD BARNES TRUCKING, LLC

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Farmington, AR 72730
479.521.3511
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rdbarnestrucking@gmail.com

RZN 17-5925
**Request
Letter**

August 16, 2017

Mr. Harry Davis
Planner
City of Fayetteville
125 W. Mountain St.
Fayetteville, AR 72701

Mr. Davis,

I want to thank you and Mr. Gardner for your advice on our property located on South Government Avenue in Fayetteville. I have enclosed the rezoning application and fees with this letter.

Please accept this letter as response to page 3, section 5 of the rezoning outline.

The subject property is owned by the Barnes Family Trust since 1977. No sale of the property is pending or planned. Rezoning is requested to allow the installation of a canopy, or covered carport, to obtain a shaded and dry outdoor working area. We may also consider erection of a warehouse building similar to the one currently on the site, to allow a year round work area.

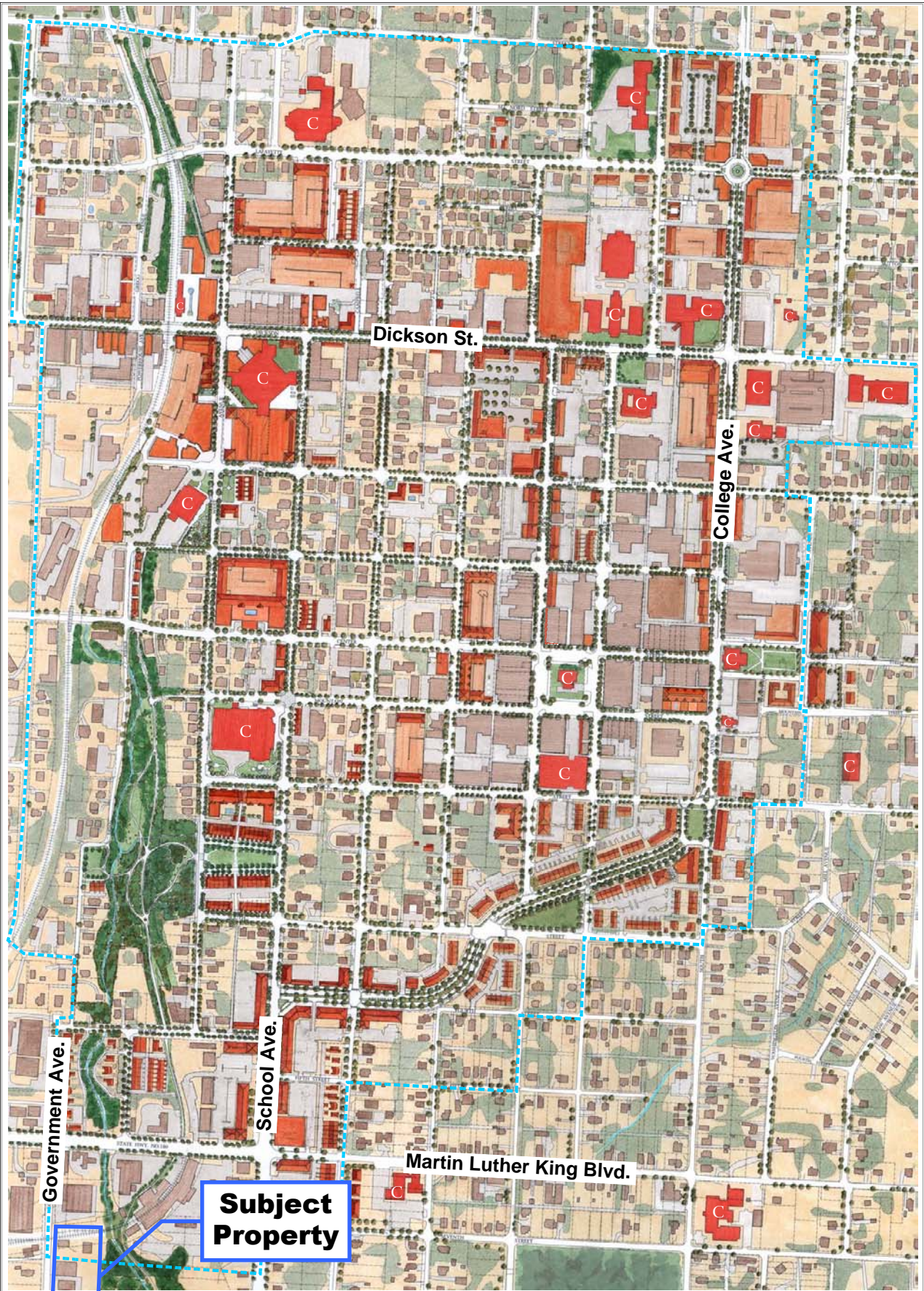
The proposed rezoning will not change our trucking operation. It will not increase the volume of traffic to and from the site. No signage is presently used and none is planned. We will be doing the same business, that we have done since 1977 on the site, but with a more friendly working environment. I feel the rezoning will help us continue our business until our retirement.

I hope this addresses the purpose of the rezoning and the effect on the site.

Thank You



Bob Barnes



FAYETTEVILLE DOWNTOWN MASTER PLAN

City of Fayetteville, Arkansas

Fayetteville, Arkansas
Idealized Buildout

DOVER, KOHL & PARTNERS
LOWE PLANNING











- Existing Building
- Proposed Building
- Existing Civic Building
- Parking Structure
- Green Space
- Study Area Boundary

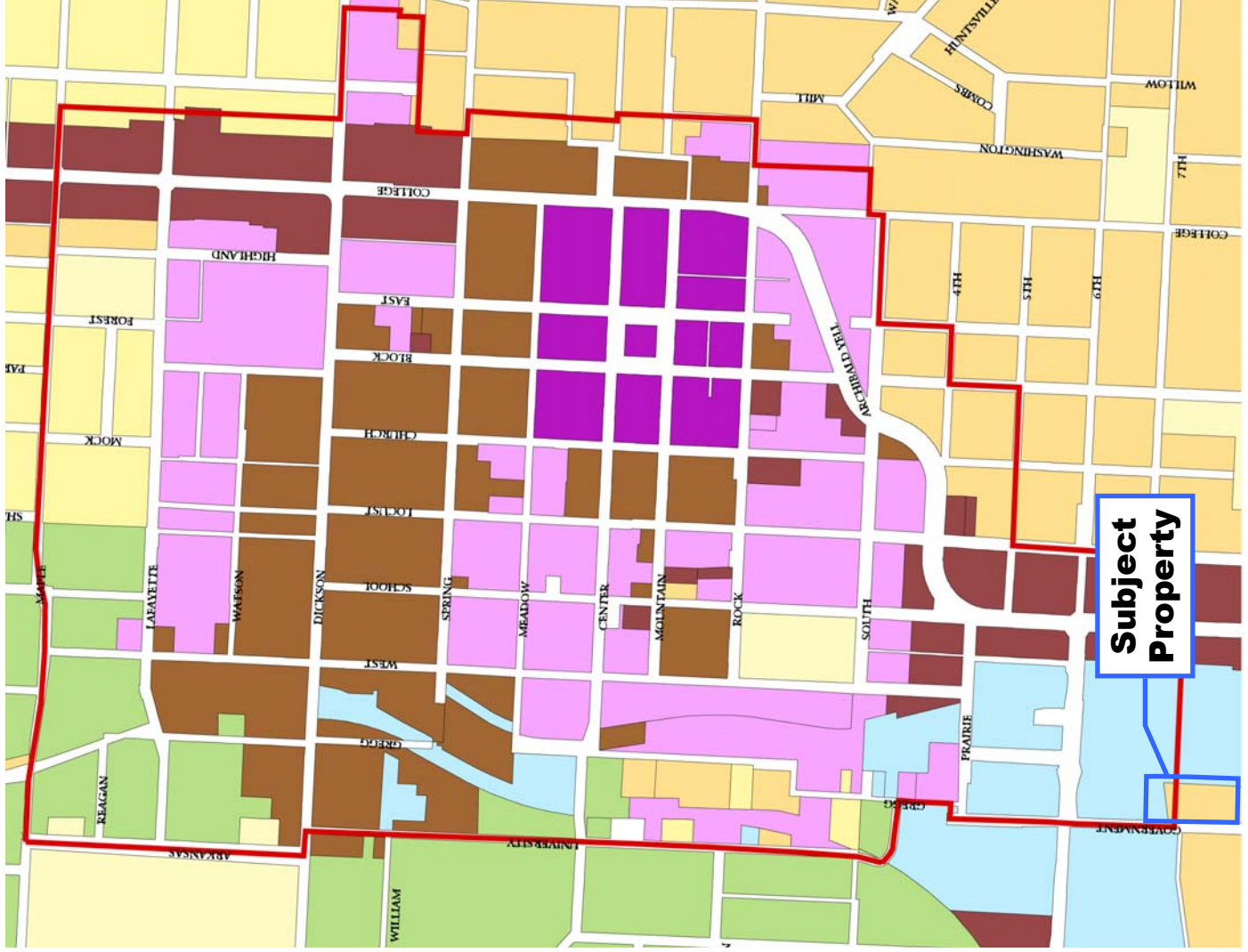
April 2004

Downtown Master Plan

Previous Zoning Designations

Zoning

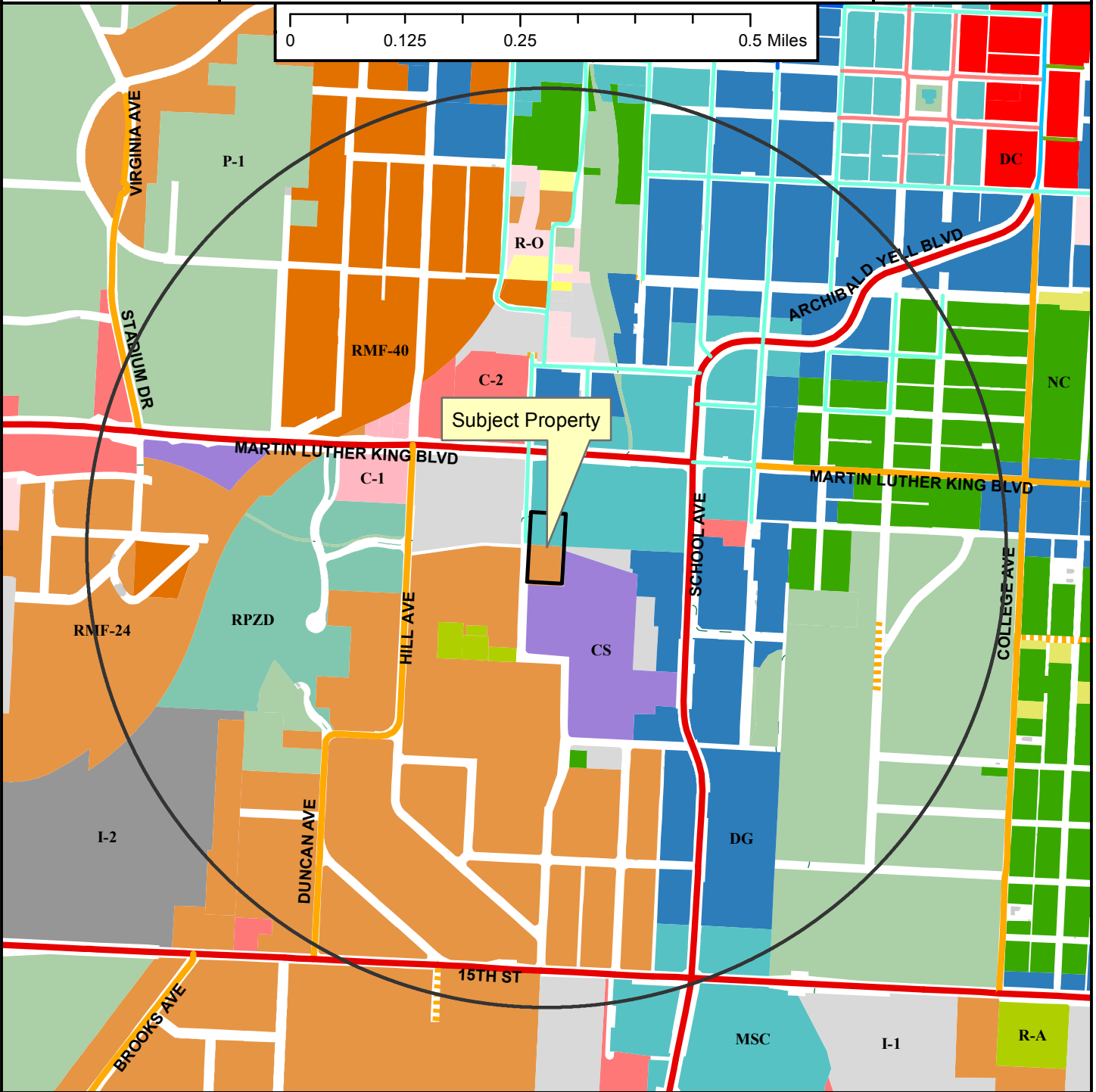
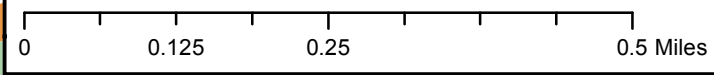
	Downtown Master Plan Boundary
	C-2 Thoroughfare Commercial
	C-3 Central Business Commercial
	C-4 Downtown
	I-1 Heavy Commercial and Light Industrial
	P-1 Institutional
	R-0 Residential - Office
	RMF-24 Residential Multi-family (24 units per acre)
	RMF-40 Residential Multi-family (40 units per acre)
	RSF-4 Residential Single-family (4 units per acre)



RZN17-5925

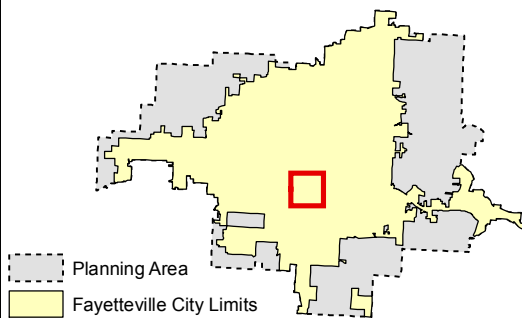
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One Mile View



Legend

- Planning Area
- Fayetteville City Limits
- Shared Use Paved Trail
- Trail (Proposed)
- Building Footprint

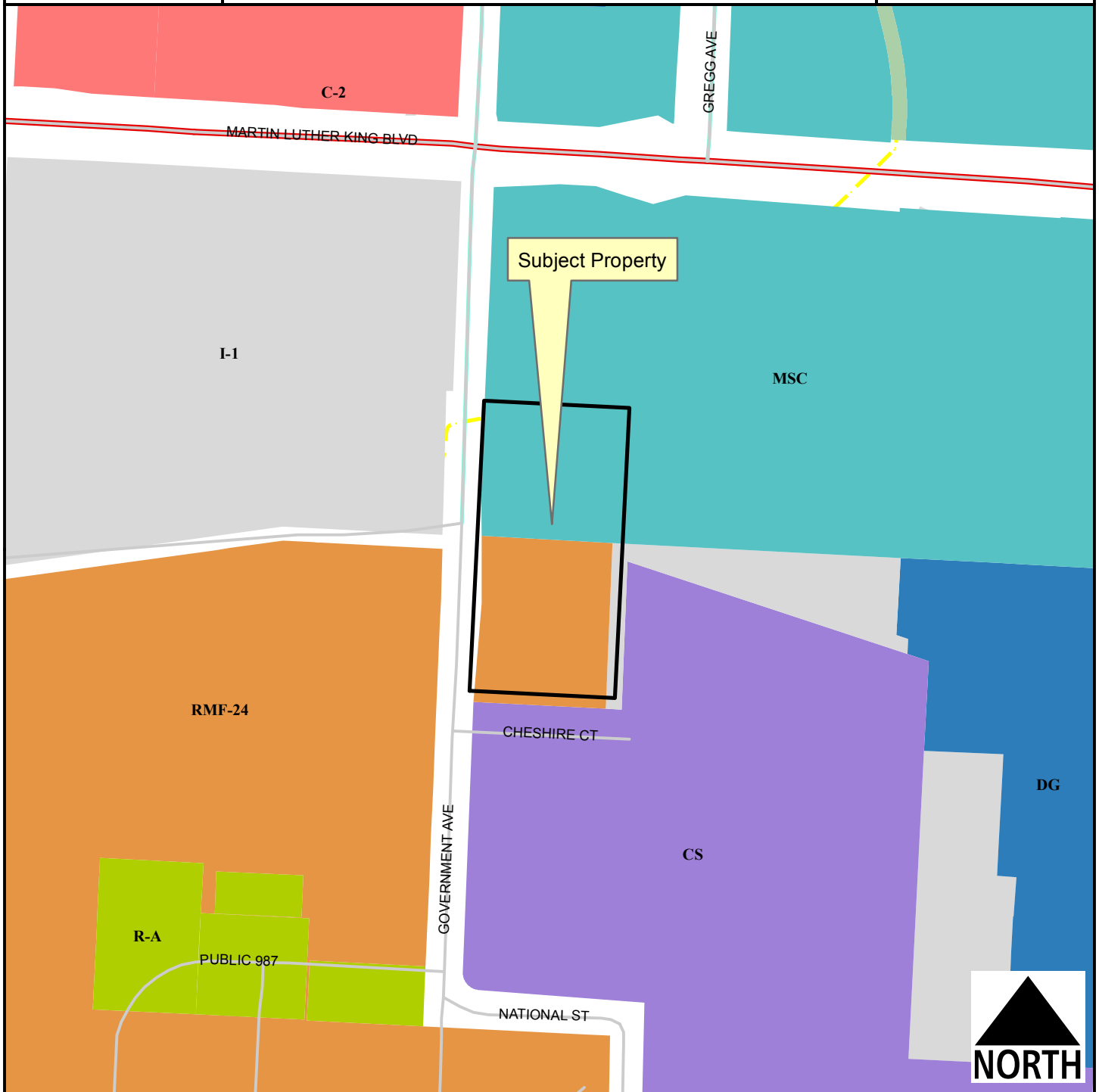


- Zoning**
- RESIDENTIAL SINGLE-FAMILY**
 - Residential-Agricultural
 - RSF-5
 - RSF-1
 - RSF-2
 - RSF-4
 - RSF-7
 - RSF-8
 - RSF-18
- RESIDENTIAL MULTI-FAMILY**
 - RT-12 Residential Two and Three-family
 - RMF-6
 - RMF-12
 - RMF-18
 - RMF-24
 - RMF-40
- INDUSTRIAL**
 - I-1 Heavy Commercial and Light Industrial
 - I-2 General Industrial
- EXTRACTION**
 - E-1
- COMMERCIAL**
 - Residential-Office
 - C-1
 - C-2
 - C-3
- FORM BASED DISTRICTS**
 - Downtown Core
 - Urban Thoroughfare
 - Main Street Center
 - Downtown General
 - Community Services
 - Neighborhood Services
 - Neighborhood Conservation
- PLANNED ZONING DISTRICTS**
 - Commercial, Industrial, Residential
- INSTITUTIONAL**
 - P-1



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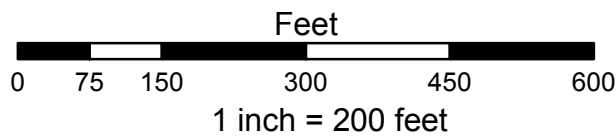
BARNES









Close Up View



Legend

-  Planning Area
-  Fayetteville City Limits
-  Shared Use Paved Trail
-  Building Footprint



-  Residential-Agricultural
-  RMF-24
-  I-1 Heavy Commercial and Light Industrial
-  C-2
-  Main Street Center
-  Downtown General
-  Community Services
-  P-1

RZN 17-5925

BARNES






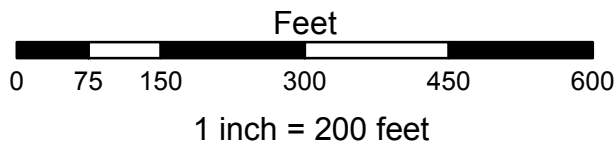
Current Land Use





Streets Existing

MSP Class

-  PRINCIPAL ARTERIAL
-  Planning Area
-  Fayetteville City Limits



FEMA Flood Hazard Data

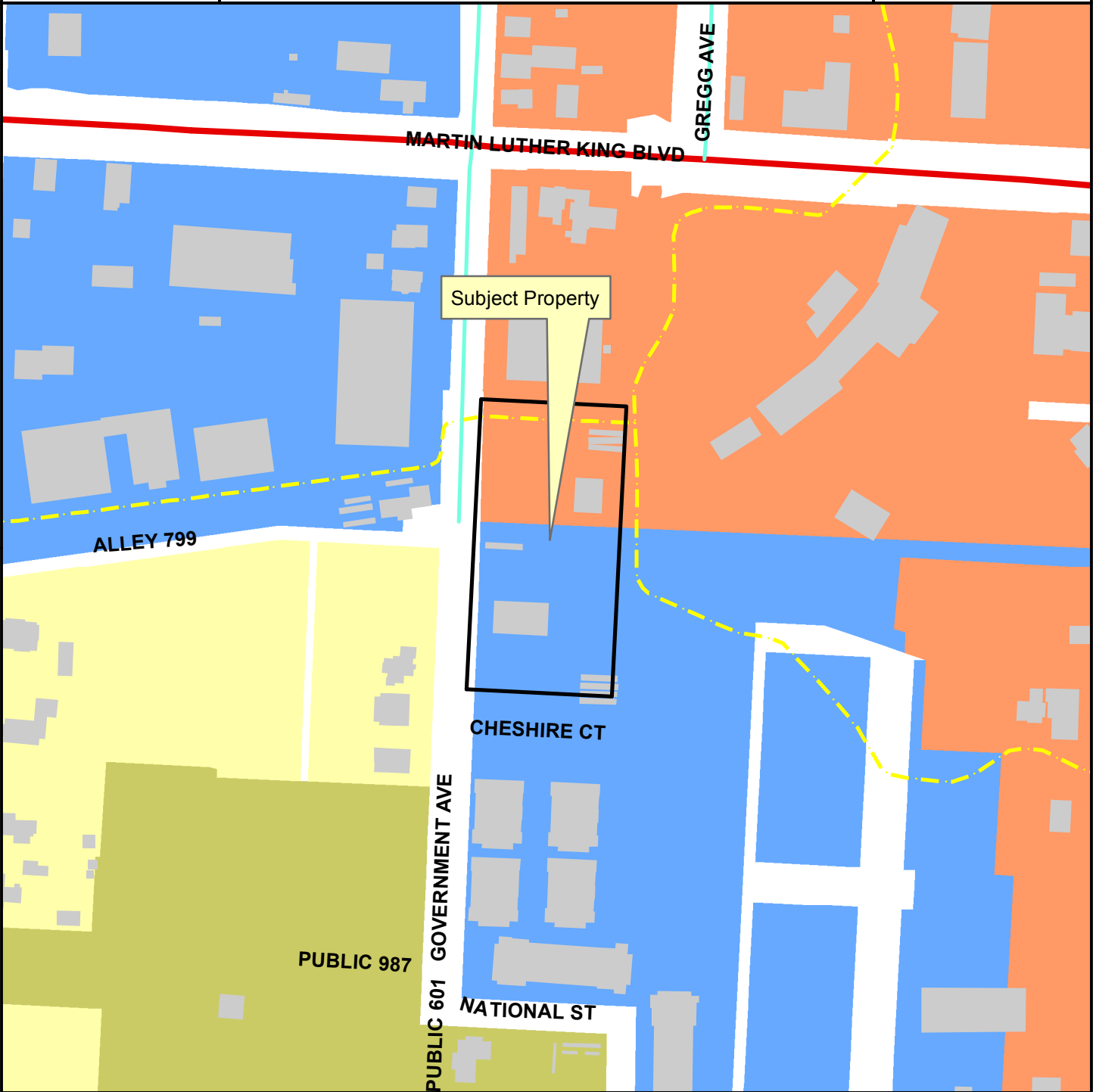
-  100-Year Floodplain
-  Floodway

RZN17-5925

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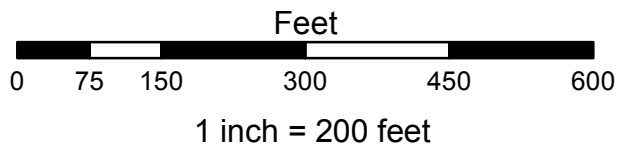


Future Land Use



Legend

- Planning Area
- Fayetteville City Limits
- Shared Use Paved Trail
- Building Footprint



FUTURE LAND USE 2030

- Residential Neighborhood Area
- City Neighborhood Area
- Complete Neighborhood Plan
- Civic and Private Open Space/Parks