



Legislation Text

File #: 2018-0085, Version: 1

RZN 17-6052 (EAST OF ROLLING HILLS DR./KEENAN):

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 17-6052 FOR APPROXIMATELY 22.59 ACRES LOCATED AT EAST OF ROLLING HILLS DRIVE AND OLD MISSOURI ROAD FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO NC, NEIGHBORHOOD CONSERVATION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby changes the zone classification of the property shown on the map (Exhibit A) and the legal description (Exhibit B) both attached to the Planning Department's Agenda Memo from RSF-4, Residential Single Family, 4 Units per Acre to NC, Neighborhood Conservation.

Section 2. That the City Council of the City of Fayetteville, Arkansas hereby amends the official zoning map of the City of Fayetteville to reflect the zoning change provided in Section 1.

City of Fayetteville Staff Review Form

2018-0085

Legistar File ID

4/17/2018

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Garner Stoll

3/30/2018

City Planning /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

RZN 17-6052: Rezone (EAST OF ROLLING HILLS DR. & OLD MISSOURI RD./KEENAN, 253-254): Submitted by JORGENSEN & ASSOCIATE, INC. for property EAST OF ROLLING HILLS DR. & OLD MISSOURI RD. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 22.59 acres. The request is to rezone the property to NC, NEIGHBORHOOD CONSERVATION.

Budget Impact:

Account Number

Fund

Project Number

Project Title

Budgeted Item? NA

Current Budget \$ -

Funds Obligated \$ -

Current Balance \$ -

Does item have a cost? No

Item Cost

Budget Adjustment Attached? NA

Budget Adjustment

Remaining Budget \$ -

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:



CITY COUNCIL AGENDA MEMO

MEETING OF APRIL 17, 2018

TO: Mayor, Fayetteville City Council

THRU: Garner Stoll, Development Services Director

FROM: Jonathan Curth, Senior Planner
Andrew Garner, Planning Director

DATE: March 30, 2018

SUBJECT: **RZN 17-6052: Rezone (EAST OF ROLLING HILLS DR. & OLD MISSOURI RD./KEENAN, 253-254):** Submitted by JORGENSEN & ASSOCIATE, INC. for property EAST OF ROLLING HILLS DR. & OLD MISSOURI RD. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 22.59 acres. The request is to rezone the property to NC, NEIGHBORHOOD CONSERVATION.

RECOMMENDATION:

The City Planning staff and Planning Commission recommend approval of an ordinance to rezone the subject property to NC, Neighborhood Conservation, as shown in the attached Exhibits 'A' and 'B'.

BACKGROUND:

The proposed rezoning request is an approximately 22.59-acre portion of a larger 50-acre parcel to the east of Old Missouri Road, between Farr Lane to the north and portions of the Strawberry Hill subdivision to the south. The property is currently undeveloped and zoned RSF-4, Residential Single-family, 4 Units per Acre. Along with 11,000 acres of other property on the periphery of the City's boundaries, the subject property was annexed in to Fayetteville in 1967. Along the southern extent of the proposed rezoning, the City's Master Street Plan indicates a Planned Principal Arterial link connecting Rolling Hills Drive in the west with Old Wire and Crossover Roads to the east. Although not identified as being within Hillside-Hilltop Overlay District, the property is heavily-vegetated with a significant downward grade from southeast to northwest.

Request: The request is to rezone the property from RSF-4, Residential Single-family, 4 Units per Acre, to NC, Neighborhood Conservation, in order prepare the parcel for development.

Land Use Compatibility: The proposed zoning is compatible with surrounding land use patterns in this area, which includes a mixture of residential and non-residential development of generally low-intensity. Despite the greater density allowed under the proposed zoning district, staff finds that the single-family character of NC will complement the overwhelmingly detached dwelling development pattern of the area. Further bolstering staff's support of the request is the existing NS-G, Neighborhood Services, General, property to the west and the planned extension of Rolling

Hills through the site. Although currently undeveloped, the property zoned NS-G allows low-intensity, non-residential uses along with some attached residential building types. If developed, a logical transition would result from greater densities along Old Missouri Road in the west to the lower-density single-family to the north, south, and east.

Another consideration is the terrain of the area proposed for rezoning as it relates to surrounding land uses. As noted, the subject property slopes downward significantly from southeast to northwest. This gradient creates a natural transition of elevation just as the zoning transitions from the greater density of the proposed NC zoning district to the lower densities of the adjacent RSF-4 zoning districts.

Land Use Plan Analysis: The proposed zoning is compatible with the Future Land Use Map (FLUM) and consistent with the Residential Neighborhood Area designation of the subject property and surrounding area. Along with the recently-rezoned NS-G land to the west, development under the NC zoning on the subject property will encourage traditional neighborhood development in a compact form that is both complemented by nonresidential development to the west and complimentary of existing, low-density single-family developments to the east.

Among the goals in City Plan 2030, the proposed rezoning represents the potential for appropriate infill development, development in a traditional town form pattern, and a means of discouraging suburban sprawl. Although extensions of infrastructure are likely needed to facilitate development, adjacent City facilities and amenities are already in place and available for access, thereby reducing the strain on City infrastructure and amenities that would result from similar development in a sprawl location. Similarly, the requested NC zoning district and its associated build-to zone encourage patterns of development that result in realizing the City's goal of making traditional town form the standard. This includes the expectation that buildings be located at the street and on corners, thereby creating an environment appealing to pedestrians.

DISCUSSION:

On January 22, 2018, the Planning Commission forwarded the proposal to City Council with a recommendation for approval by a vote of 7-0-0. Several members of the public spoke in opposition to the request, citing concerns about the Master Street Plan extension of Rolling Hills from Old Missouri to Crossover and Old Wire, and how the site would be developed appropriately given the terrain. Additionally, opposition was expressed regarding the potential that development under the proposed zoning district may cause traffic congestion, unsafe traffic conditions, adverse stormwater runoff, and dangers to pedestrians and school children at the adjacent Butterfield Elementary.

On March 6th, 2018, the City Council referred this item back to the Planning Commission given the incomplete status of the application. A revised request letter was submitted and is included in the attached staff report.

On March 12th, 2018, The Planning Commission tabled the request to the March 26th meeting to allow for the applicant to complete the legal public notification requirements.

On March 26th 2018, The Planning Commission forwarded the proposal to the City Council with a recommendation for approval by a vote of 4-3-0. Commissioners Johnson, Scroggin, and Niederman voted 'no'. Several members of the public again spoke in opposition to the request, voicing concern about the appropriateness of the site and adjacent services for development. Additionally, the completeness of the application was challenged. The submitted public comment and summaries of these concerns are included in the attached staff report.

BUDGET/STAFF IMPACT:

N/A

Attachments:

- Exhibit A
- Exhibit B
- Approved and Draft Planning Commission Minutes
 - 1/22/2018 Planning Commission (Approved)
 - 4/10/2018 Planning Commission (Draft)
- Application
- Planning Commission Staff Report

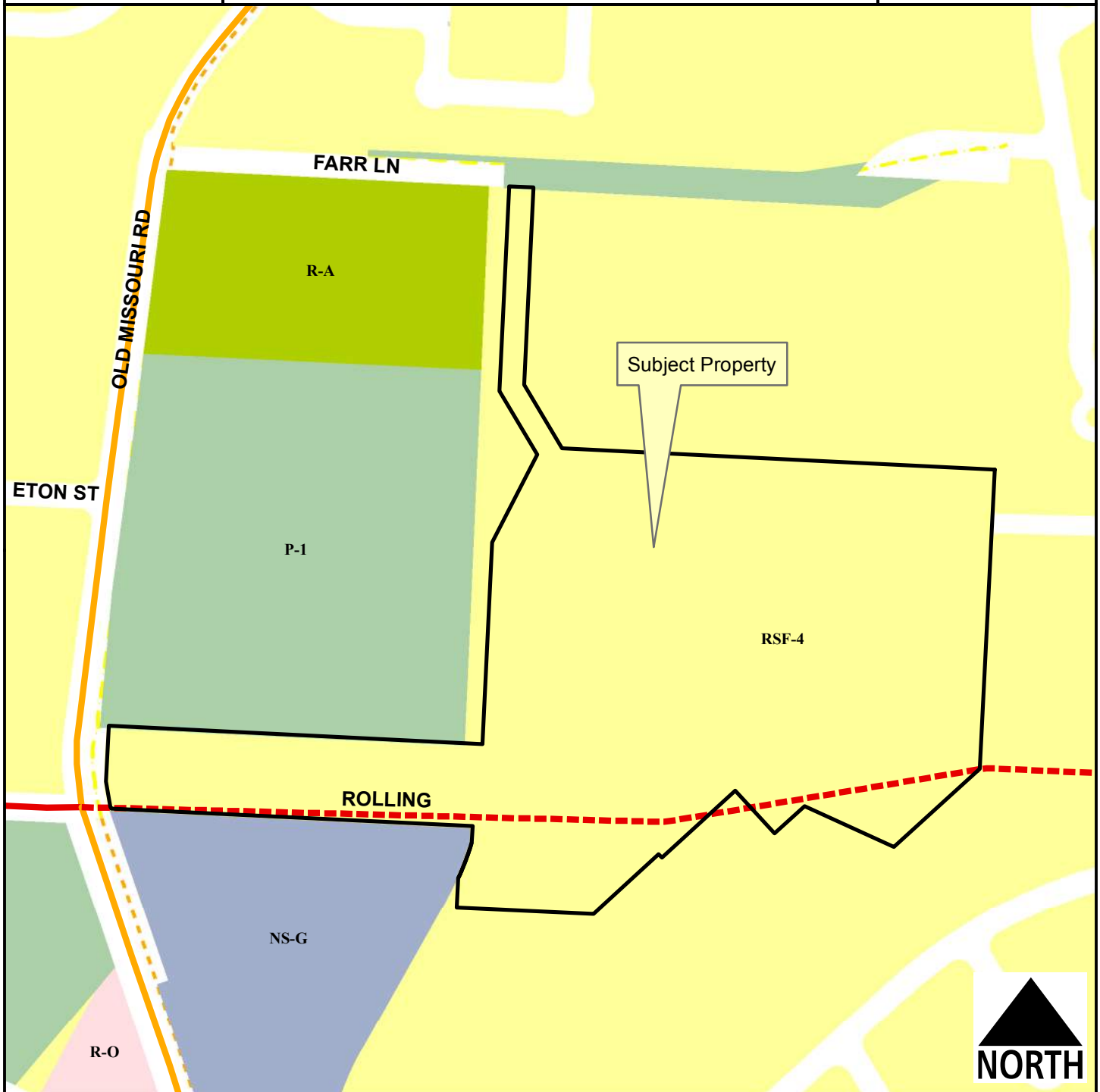
RZN17-6052

KEENAN

EXHIBIT 'A'

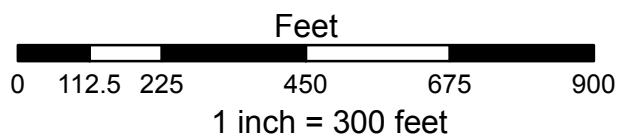
Close Up View

17-6052



Legend

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



- Residential-Agricultural
- RSF-4
- Residential-Office
- Neighborhood Services - Gen.
- P-1

EXHIBIT 'B'
17-6052

LEGAL DESCRIPTION - TO BE REZONED TO NC:

A part of the NW1/4 of the NE1/4, a part of the SW1/4 of the NE1/4, and a part of the SE1/4 of the NW1/4, of Section 36, T17N, R30W in Washington County, Arkansas and being described as follows: Beginning at the SE Corner of said NW1/4, NE1/4, said point being the POINT OF BEGINNING, thence S47°39'53"W 239.26 feet, thence N65°30'44"W 202.53 feet, thence S47°30'13"W 83.43 feet, thence N42°29'47"W 120.00 feet, thence S47°30'13"W 205.00 feet, thence N42°29'47"W 10.00 feet, thence S47°30'13"W 182.29 feet, thence N87°14'50"W 282.64 feet, thence N02°45'10"E 59.37 feet, thence along a non tangent curve to the left 82.00 feet, said curve having a radius of 538.69 feet and chord bearing and distance of N20°31'18"E 81.92 feet, thence N02°45'10"E 32.12 feet, thence N87°14'50"W 745.99 feet, thence N19°07'21"W 4.42 feet, thence N09°45'53"W 52.11 feet, thence N02°47'04"E 115.12 feet, thence S87°11'51"E 770.82 feet, thence N02°45'46"E 416.18 feet, thence N27°12'39"E 204.31 feet, thence N30°53'35"W 152.48 feet, thence N02°45'58"E 422.44 feet, thence S86°58'37"E 50.00 feet, thence S02°45'58"W 407.09 feet, thence S30°53'35"E 153.08 feet, thence S87°10'56"E 892.40 feet, thence S02°50'27"W 617.45 feet to the POINT OF BEGINNING, Containing 22.59 acres, more or less, subject to easements and right of ways of record.

17-6052
Planning Commission
Meeting Minutes
(1/22/2018 - Approved)

RZN 17-6052: Rezone (EAST OF ROLLING HILLS DR. & OLD MISSOURI RD./KEENAN, 253-254): Submitted by JORGENSEN & ASSOCIATE, INC. for property EAST OF ROLLING HILLS DR. & OLD MISSOURI RD. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 49.60 acres. The request is to rezone approximately 22.59 acres to NC, NEIGHBORHOOD CONSERVATION.

Jonathan Curth, Senior Planner: Gave the staff report.

Blake Jorgensen, Jorgensen and Associates, Applicant's Representative: Has nothing to add, but is available for comment.

Public Comment:

Emily Birkman, Resident: Shares that she is a geologist and found out about the request online. Notes that there was excitement about the proposed zoning district among her neighbors until they realized it resulted in an increased density. Comments that 3- and 4-family dwellings would be allowed despite these not existing in surrounding areas. For her, the 10 units per acre and lot area requirements would create a significant change from existing lot sizes in the area. When discussing the proposed zoning district, she thinks it critical to consider the slope given that many trees will likely need to be removed. Additionally, the Fayetteville fault runs under the site, which can lead to further concerns. Goes on to discuss the amount of runoff that will inevitable result from development and that it will impact the school, creek, and neighborhoods downstream. Disagrees that the proposal is compatible with the City's 2030 goals. Continues on to discuss the increased traffic that will occur given the lack of existing infrastructure, and the possibility that safety may be compromised. Concludes that she hopes her concern is heard, particularly regarding the increased density, and that the decision made is in line with the City's morals and ethics.

Martin Jones, Resident: Lives on Strawberry Street above the subject property and has enjoyed its lack of development to this point. Shares that he attended the Rolling Hills extension meeting, and is concerned that the City may be getting ahead of itself with zoning and development before the street alignment is decided upon. Informs the Commission that it was the neighborhood's general opinion that the alignment of the street extension be pushed northwards and away from his neighborhood. While unsure if it is appropriate to discuss the extension at this point, he wants it understood that the zoning will have a direct effect on it. Any movement of the street's alignment will eat in to the property of his property or that of his neighbors.

Nicole Clayson, Resident: Wants to address the rezoning and the street extension. Rapidly addresses the concerns of those in her neighborhood and wants an answer from the City about whether Rolling Hills will be extended. Comments that the negative impact on the surrounding areas will be negative and dramatic. Rhetorically asks what people would feel if this occurred by Vandergriff. Warns that if the rezoning is approved it cannot be undone. Shares that she finds 10 units per acre too dense, and that a backyard that size would be laughable. Comments that a developer has not even been found yet and that this seems like a money grab. Fears the impact

of a development after it is complete and the developer leaves town. Rapidly lists concerns about student school capacity, development type, school recesses, tree canopy, water runoff, adequacy of water pipes, student safety walking to school, and if there have been ecological studies done. Does not know the answers to many of these questions despite looking online. Notes that this project will create suburban sprawl right next to an elementary school. Contends that the Rolling Hills extension will not improve anything, and will only serve to improve the access to College slightly while taking away several people's yards. Again, notes that neighbors deserve an answer to the extension possibility.

Brinkman: Speaks again, stating that Jorgensen did not answer her call asking for information about the rezoning request and who petitioned for it.

No more public comment was presented.

Sloan Scroggin, Commissioner: Shares that he is in favor if the request for the same reasons that people are opposed to it. Disputes the fact that 300 units can be located on this property, and that locating more housing here is that much less housing in peripheral areas. Hopes that housing here will reduce the distance from work. Notes that people will be working here, and they will be walking to school.

Matt Johnson, Commissioner: Appreciates his neighbors coming out to speak as this is his area of town. While he appreciates the deer in his yard, he thinks this would be an ideal place for smart planning. Development here will create a walkable neighborhood that is beneficial to the neighborhood at large. Contends that this area is special and can be developed in a manner that is better than other areas of Fayetteville. Asks what factors go in to the Hillside Hilltop Overlay District and how development on this property will occur.

Curth: Answers that this property is not subject to the HHOD, but goes on to describe its requirements. Also shares briefly what ordinances will apply to any development on the site.

Allison Thurmond Quinlan, Commissioner: Notes that the Neighborhood Conservation zoning district will actually allow greater flexibility on the site's terrain. Shares details of the NC zoning district as a response to public comment, including that the permitted uses are the same as the existing RSF-4 zoning district, and that conditional uses require a higher degree of scrutiny. Notes that development under either district is subject to City ordinance standards, but the form-based codes will create a safer, more walkable neighborhood.

Leslie Belden, Commissioner: Upon first consideration, she could not decide whether this was sprawl or infill. Notes that decades ago it would have been sprawl, and not it is infill. Agrees that it is denser, but that is ideal for infill. While she wishes the property could stay natural, she would rather see development here than on the periphery. Agrees that infill can be hard on neighbors, but it is needed. Encourages the neighborhood to continue participating as the property comes through for development. Shares that she is in favor of the development, but is cautious about seeing future development given its topography.

Zara Niederman, Commissioner: Thanks the public for their comment, but agrees with the other Commissioners. Advises that in the future, if you can increase the density near the street and away from the terrain it would be ideal. Although he knows this is not on the table, he feels it is in-line with the City's goals.

Tom Brown, Commissioner: Shares census data on the regional population, and that it will grow by over one-half million by 2050. Given Fayetteville's amenities he suspects many of these people will come to Fayetteville. As of 2011, the RSF-4 zoning district was 34% of the City and R-A was 28%. In order to accept Fayetteville's share of the population growth, it needs to accommodate greater density towards the urban core in accordance with the urban transect. Beyond this, there are discussions about a rail system in the region. Insists that residents need to have confidence in the City's stormwater standards, tree preservation and other ordinances to provide good, sensitive development. While not downtown, he contends that it is areas like this where greater urban densities need be supported. Notes that he will have no problem supporting the request.

Motion:

Commissioner Quinlan made a motion to **forward RZN 17-6052** as recommended. **Commissioner Scroggin** seconded the motion. **Upon roll call the motion passed with a vote of 7-0-0.**

17-6052
Planning Commission
Meeting Minutes
(3/26/2018 - Draft)

RZN 17-6052: Rezone (EAST OF ROLLING HILLS DR. & OLD MISSOURI RD./KEENAN, 253-254): Submitted by JORGENSEN & ASSOCIATE, INC. for property EAST OF ROLLING HILLS DR. & OLD MISSOURI RD. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 49.60 acres. The request is to rezone approximately 22.59 acres to NC, NEIGHBORHOOD CONSERVATION.

Jonathan Curth, Senior Planner: Gave the staff report.

Ron Autry, City Attorney: Shares with the audience that there are three items that the code requires to be addressed at the time of a rezoning request, including a completed application, an accurate legal description, and a statement of the request's compatibility.

Kit Williams, City Attorney: Agrees that this is generally correct and that applications currently being processed will meet this requirement. In reviewing the application for this request, he found the application to be wanting, but that additional items in the application and not the code are not legally required. A newly-drafted ordinance will address this discrepancy and will go in to effect on April 20, 2018 for those applications submitted thereafter.

Mitch Weigel, Downtown Properties, Applicant's Representative: Is available for comment.

Public Comment:

Leigh Anne Yearge , Resident: Contends that the application is still deficient and that all issues within it must be addressed before the proposal is approved or forwarded. In response to the City Attorney's memo, she thinks the application is still deficient, and that items "a" through "i" must be completed.

Brian Billingsley, Resident: Is most concerned for the wildlife in the area. Requests the Commission deny the proposal given it is inconsistent with the surroundings. Feels that the request is a matter of weighing the pros and cons of a development. Comments that the proposed zoning would allow for 2-, 3-, and 4-family dwellings with a conditional use permit, which he disagrees with and thinks the rezoning should be denied in the first place before the option to pursue a conditional use permit is even available. Shares that a planner told him the request is a political, not about what residents want.

Emily Brickman, Resident: States that this property is rare given its natural state in a developed area next to a school. Comments that the area helps mitigate rainfall and that there is a significant elevation change across the entire site. Notes that the site is also on the Fayetteville Fault which is associated with freshwater springs. Disagrees with the non-inclusion of the property in the Hillside Hilltop Overlay district and that this should be evaluated. Comments that development of the site will impact downslope neighbors and not appropriately accommodate development. Developing under the existing zoning will reduce the canopy significantly but more so under the proposed zoning district. Asks the Commission to consider the ecological issues of rezoning and developing this area.

Hope Hazen, Resident: Notes that no individuals have been listed as financially-interested other than the applicant. Contends that this is then a very speculative rezoning, and that the growth of the area should not come at the expense of the amenities of her area. States that saying this properties development will limit development on the periphery is inaccurate and many people move to this City to be nearer the environment. Goes on to share that Butterfield Elementary and the infrastructure cannot accommodate development under the proposed zoning district. Continues to discuss the noise nuisances and hazards that will be posed to residents by any development on the site.

Kim Wyles, Resident: Speaks from her heart that she fears for the safety of children that are currently travelling to Butterfield, and that the school will not have sufficient capacity. Grew up on a farm and while she does not want that as an adult she wants the children of Fayetteville to have the best education possible, and that will be the thing most affected by the proposed rezoning.

Renae Tobin, Resident: She thinks this may be a good opportunity to revisit the idea of infill and that there may have been some bad results that are occurring. Feels this is due to the inadequacy of roads, the impact on environment, and the desire to not live wall-to-wall with other people. Thinks one of the reasons Mayor Jordan won the last election is that he is not a developer. Asks that the Commission deny the rezoning.

Lisa Burkett, Resident: Asks that the Commission not rezone the property for a higher density. Has concerns for the environment and the loss it will represent to the children in the neighborhood and at the school.

No more public comment was presented.

Tom Brown, Commissioner: Appreciates all of the public comment. Assures residents that the City has a Unified Development Code that addresses many of the concerns expressed tonight. Informs residents that they will have the opportunity to comment when development is submitted. Presents prepared documents about the population of the region and that Fayetteville will need to accommodate its fair share. Notes that regional mass transit will need to be developed to accommodate growth and commuters and that adding more traffic lanes is not a viable option.

Sloan Scroggin, Commissioner: Thanks the public for the comment. Has two main comments. Although he is in favor of form-based zoning he feels that NC does not represent this, and will not support the request this time. Regarding the natural state of the area, he notes that animals do not live in an area whether it is developed as RSF-4 or NC. For traffic, he contends that NC will not reduce congestion as it is just residential and will not promote walkability. Summarizes that the Commission is not voting on traffic and it's not voting on animals. Is worried that this area could be developed with snout houses which does not address the City's goal of traditional town form. Goes on to comment that there are people who supports requests but are pressured to go along with people in opposition. Wants the audience to know that they should stay civil and engaged as there are arguably bigger issues that receive no public comment.

Matt Johnson, Commissioner: Asks staff to refresh the Commission as to why this area is not included in the Hilltop Hillside Overlay District (HHOD).

Andrew Garner, Planning Director: Answers that a technical matrix was made that includes steep slope, the percentage of a site with steep slopes, development in the area and other

matters. Goes on to advise that the HHOD does not restrict development, but just ensures it is more sensitive to the area.

Johnson: Shares that he must separate himself from his position as a neighbor and look at the request objectively. In doing so, he feels that the request is appropriate. Disagrees with the public comment that this is a matter of pros and cons, and feels that development is happening Citywide. Has met with Engineering staff to get a better understanding of the area and has some hesitancy regarding stormwater or rainfall. Given this, he is not able to support the request. Goes in to some detail about the Engineering standards and why these do not reassure him.

Williams: Responds to the assertion from the public about this being a political decision and not listening to neighbors. Reminds the Commission about past comments of his that public comment out to be a lodestar for assessing compatibility and that the reasonable comments heard tonight should be factored in to the Commission's deliberation and decision.

Matthew Hoffman, Commissioner: Appreciates all of the comment from both the public and the Commission. His understanding of NC's purpose it to describe in a zoning district many of the traits of Fayetteville's historic, established neighborhoods. Regarding uses, he comments that it is very similar to RSF-4, with single-family homes being allowed by right. Comments that's somebody right now could build a duplex under the existing zoning with a conditional use permit. Shares that one of the things he likes about Fayetteville is its welcoming nature, and to him this means, among other things, that others can move here and build homes for themselves. Given the unprecedented amount of growth that will occur with or without current resident preference, there are many issues that can arise. This includes growing housing costs, increased homelessness, and an increasing proportion of renters. This all results from under-supplying a housing market. What can be done includes choosing how growth can be allocated within the City. While the NC zoning district may be flawed, it represents arguably the best available tool.

Leslie Belden, Commissioner: Thanks the public for its comments. Very much likes trees and does not even shop at Kohl's because of it. Lists all the things she wishes she could keep the same about Fayetteville, and even to move backwards. But the fact is that more people are moving to Fayetteville and they need to live somewhere and drive somewhere. Planning for growth is critical and the proposal may have come forward more appropriately as a PZD to focus density and spare some of the tree canopy. Shares that nothing has been proposed yet as far as development, and that while she would prefer a PZD, she does not want to see 4 units per acre spread across the entire property. She supports NC with smaller homes on smaller lots that are affordable and not 3,000 square foot homes because that's not what's best for Fayetteville. She wants all the trees to stay, but is realistic in realizing that it will be developed.

Zara Niederman, Commissioner: Shares thanks for the comments of the other Commissioners and public. Agrees with Commissioner Belden that he wants to see the development focused on the flattest portion of this property and that the NC zoning district gives the greatest flexibility. Questions the applicant's representative about the portion of the property not proposed for rezoning to NC and not zoned for NS-G.

Wiegel: Responds that this area is where the majority of the slope and mature trees are.

Niederman: Asks if it was considered to put this area in a conservation easement and what will occur with the land to the north.

Wiegel: Answers that this may be developed with a single-family home.

Niederman: Clarifies that what he is proposing is to develop more compactly on a smaller footprint rather than rezoning the larger area.

Williams: Advises that the application is for the NC zoning and negotiations cannot be begun at this point. What is before the Commission is the proposal to rezone the site to NC.

Niederman: Thanks the City Attorney for the clarification. Echoes Commissioner Brown and that density is needed in the core of the City to accommodate growth and transit. States that sitting on this matter is a tough issue, and agrees with Commissioner Scroggin's comments also. Is not amenable to supporting the request at this time.

Autry: Advises that he understands the safety issues given his personal connections to Butterfield School. Shares that these same conversations occur in association with almost any development and he would like to have heard them when some of these other subdivisions in the area were built. Does not dispute some of the concerns raised, but contends that the severity of the concerns are blown out of scale with what is possible. Has heard fears expressed about huge apartment complexes and other issues that will not occur, and he hears them with nearly every change adjacent to a subdivision in the City. The City is going to grow and it is not going to stop. While development in this area may occur, it should be in the City, and not on the periphery.

Motion:

Commissioner Hoffman made a motion to **forward RZN 17-6052**. **Commissioner Brown** seconded the motion. **Upon roll call the motion passed with a vote of 4-3-0.** **Commissioners Johnson, Scroggin, and Niederman** voted 'no'.

CITY OF FAYETTEVILLE, ARKANSAS

REZONING

FOR STAFF USE ONLY

Date Application Submitted:

Date Accepted as Complete:

Case / Appeal Number:

Public Hearing Date:

6052

FEE: \$325.00

Sign Fee: \$5.00

S-T-R:

PP#:

Zone:

253/254

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):

Name: James Keenan

Address: PO Box 9600
FAYETTEVILLE, AR 72703

E-mail:

Phone:
()

()

Fax:

()

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

Name: Jorgensen & Assoc

Address: 124 W. Sunbridge
FAYETTEVILLE, AR 72703

E-mail: dave@jorgensenassoc.com

Phone:
() 442-9127

()

Fax:

()

Site Address / Location: FARR LN / OLD MISSOURI RD

Current Zoning District:

Requested Zoning District: NC

Assessor's Parcel Number(s) for subject property: 765-16065-012 22.59

FINANCIAL INTERESTS

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

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): James Keenan Date: _____
Signature: _____

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): James Keenan Address: PO Box 9600
Signature: Jim T Keenan FAYETTEVILLE, AR 72703
Date: 4/13/12 Phone: _____
()

Name (printed): _____ Address: _____
Signature: _____
Date: _____ Phone: _____
()

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: March 26, 2018 (**Updated with Planning Commission Results**)

SUBJECT: **RZN 17-6052: Rezone (EAST OF ROLLING HILLS DR. & OLD MISSOURI RD./KEENAN, 253-254):** Submitted by JORGENSEN & ASSOCIATE, INC. for property EAST OF ROLLING HILLS DR. & OLD MISSOURI RD. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 49.60 acres. The request is to rezone approximately 22.59 acres to NC, NEIGHBORHOOD CONSERVATION.

RECOMMENDATION:

Staff recommends forwarding **RZN 17-6052** to the City Council with a recommendation of approval, based on the findings herein.

BACKGROUND:

On January 22nd, 2018, the Planning Commission voted to forward the requested rezoning to the City Council with a vote of 7-0-0.

On March 6th, 2018, the City Council referred this item back to the Planning Commission given the incomplete status of the application. A revised request letter was submitted and is included herein.

On March 12, the Planning Commission tabled the request to the March 26th meeting to allow for the applicant to complete the legal public notification requirements.

The proposed rezoning request is an approximately 22.59-acre portion of a larger 50-acre parcel to the east of Old Missouri Road, between Farr Lane to the north and portions of the Strawberry Hill subdivision to the south. The property is currently undeveloped and zoned RSF-4, Residential Single-family, 4 Units per Acre. Along with 11,000 acres of other property on the periphery of the City's boundaries, the subject property was annexed in to Fayetteville in 1967. Along the southern extent of the proposed rezoning, the City's Master Street Plan indicates a Planned Principal Arterial link connecting Rolling Hills Drive in the west with Old Wire and Crossover Roads to the east. Although not identified as being within Hillside-Hilltop Overlay District, the property is heavily-vegetated with a significant downward grade from southeast to northwest. Surrounding land use and zoning is provided on *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Butterfield Trail Elementary School; Large Lot Single-family Residential	P-1, Institutional; RSF-4, Residential Single-family, 4 Units per Acre
South	Undeveloped; Single-family Residential	NS-G, Neighborhood Services, General; RSF-4, Residential Single-family, 4 Units per Acre
East	Large Lot Single-family Residential	RSF-4, Residential Single-family, 4 Units per Acre
West	Butterfield Trail Elementary School; Single-family Residential	P-1, Institutional RSF-4, Residential Single-family, 4 Units per Acre

Request: The request is to rezone the property from RSF-4, Residential Single-family, 4 Units per Acre to NC, Neighborhood Conservation, in order prepare the parcel for development.

Public Comment: Staff has received substantial public comment regarding the request, almost unanimously in opposition to the proposed rezoning. Concerns can be generally summarized in the following categories, but are also included verbatim (attached):

Infrastructure: Several members of the public have commented that both infrastructure in the area is inadequate and the additional development will cause undue strain to existing infrastructure.

School: Residents have stated opposition to the proposed rezoning given its proximity to Butterfield Elementary, citing loss of student safety, inability of residents to walk or bike to the school, and that the rezoning will lead to overcrowding.

Natural Resources: Several residents have voiced concern about the suitability of the property for development given the existing soils, slope, and drainage patterns towards Mud Creek. Additionally, members of the public have stated that the property is a valuable wildlife habitat with established wetlands, and that it should be protected.

Traffic and Safety: Frustrations were expressed by the speed of traffic on Rolling Hills Drive and are concerned that this rezoning will aggravate that and increase congestion. Further, additional development will increase the number of vehicles and reduce the safety of other drivers, cyclists, and pedestrians.

Rolling Hills Drive: Many residents would like to see Rolling Hills' status in the Master Street Plan downgraded, and there is concern that approval of this rezoning will lead to an extension of the existing street through the subject property. Additionally, the Development Services Department has held one neighborhood meeting to gain input on a potential downgrade of Rolling Hills from an Arterial to a Collector Street and to discuss the potential street alignment. This neighborhood meeting was not directly related to the zoning.

INFRASTRUCTURE:

Streets: The subject portion of this parcel has access to Farr Lane to the north, unimproved Warwick Drive right-of-way to the east, and Old Missouri Road to the west. The Master Street Plan classifies Old Missouri as an improved Collector-classified street that has been developed with full right-of-way, curb, and gutter. Sidewalk however, is not present along any portion of the subject property's frontage. Although any street improvements required in this area will be

determined at the time of development proposal, the existing, un-built right-of-way for future Farr Lane extension will likely be included.

Water: Public water is available to the site. A 36-inch water main and associated easement bi-sects the property from north-to-south, and 6-inch water mains are present on both the Farr Lane and Old Missouri Road frontages. The 36-inch main is not available for service connections, but existing hydrants on this line may be used for main extension tie-in points.

Sewer: Sanitary Sewer availability is limited for this property. There is an existing 6-inch sanitary sewer main near the northwest corner of the intersection between Rolling Hills Boulevard, and Old Missouri Road. However, this connection would require a main extension, and given that it is only a 6-inch diameter line, it may have limited capacity available. There is also an existing 8-inch main to the north along the Farr Lane right-of-way. This would also require a main extension however, including relocation of service lines that connect to the manhole in this area.

Drainage: No portion of this property is identified as containing FEMA regulated floodplain, nor are there any protected streams on site. Per the City's GIS Division data, Hydric Soils are likely present on site, therefore further wetlands evaluation may be required. The property lies outside the Hilltop-Hillside Overlay District (HHOD), but portions of the site include areas of 15% slope or greater, which may indicate further development restrictions. Any additional improvements, assessments, or requirements for drainage, slope, or other related issues will be determined at time of development.

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 properties within the proposed rezone as **Residential Neighborhood Area**.*

Residential Neighborhood Areas are primarily residential in nature and support a variety of housing types of appropriate scale and context, including single family, multifamily and row-houses. Residential Neighborhood encourages highly connected, compact blocks with gridded street patterns and reduced setbacks. It also encourages traditional neighborhood development that incorporates low-intensity non-residential uses intended to serve the surrounding neighborhood, such as retail and offices, on corners and along connecting corridors. This designation recognizes existing conventional subdivision developments which may have large blocks with conventional setbacks and development patterns that respond to features in the natural environment.

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: ***Land Use Compatibility:*** The proposed zoning is compatible with surrounding land use patterns in this area, which includes a mixture of

residential and non-residential development of generally low-intensity. Despite the greater density allowed under the proposed zoning district, staff finds that the single-family character of NC will complement the overwhelmingly detached dwelling development pattern of the area. Further bolstering staff's support of the request is the existing NS-G, Neighborhood Services, General, property to the west and the extension of Rolling Hills through the site. Although currently undeveloped, the property zoned NS-G allows low-intensity, non-residential uses along with some attached residential building types. If developed, a logical transition would result from greater densities along Old Missouri Road in the west to the lower-density single-family to the north, south, and east.

Another consideration is the terrain of the area proposed for rezoning as it relates to surrounding land uses. As noted, the subject property slopes downward significantly from southeast to northwest. This gradient creates a natural transition of elevation just as the zoning transitions from the greater density of the proposed NC zoning district to the lower densities of the adjacent RSF-4 zoning districts.

Land Use Plan Analysis: The proposed zoning is compatible with the Future Land Use Map (FLUM) and consistent with the Residential Neighborhood Area designation of the subject property and surrounding area. Along with the recently-rezoned NS-G land to the west, development under the NC zoning on the subject property will encourage traditional neighborhood development in a compact form that is both complemented by nonresidential development to the west and complimentary of existing, low-density single-family developments to the east.

Among the goals in City Plan 2030, the proposed rezoning represents the potential for appropriate infill development, development in a traditional town form pattern, and a means of discouraging suburban sprawl. Although extensions of infrastructure are likely needed to facilitate development, adjacent City facilities and amenities are already in place and available for access, thereby reducing the strain on City infrastructure and amenities that would result from similar development in a sprawl location. Similarly, the requested NC zoning district and its associated build-to zone encourage patterns of development that result in realizing the City's goal of making traditional town form the standard. This includes the expectation that buildings be located at the street and on corners, thereby creating an environment appealing to pedestrians.

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

Finding: The applicant has requested the zoning change to allow for development at a greater density than that allowed under the existing RSF-4 zoning district. The proposed NC zoning will encourage appropriate density on a parcel with access to major connecting corridors.

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

Finding: The NC zoning district allows a residential density that is greater than that allowed under the current RSF-4 zoning district: 10 units per acre versus 4. Given the property's undeveloped state, any development would invariably create the potential for increased traffic in the area. That said, and as previously noted, the property is located with access to Old Missouri Road, a Collector-classified street, and in close proximity to Rolling Hills Drive and Old Wire Road, Arterial and Collector streets respectively. There are not currently any signalized intersections in the immediate vicinity of the subject property, but this may change and be required in association with a proposed development submittal. While there will be an appreciable increase in traffic with any development, direct access to Old Missouri Road will likely limit the intrusion of through traffic into adjacent neighborhoods.

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: Due to the property being currently undeveloped, development under the current zoning or the proposed zoning will result in an increase in the load on public services. That said, this increase has the potential to be greater under NC than the existing RSF-4 zoning. NC allows for 10 units per acre, while RSF-4 allows 4 units per acre. Despite the potential for greater density, the subject property has access to existing infrastructure, and is an area where staff does not feel a development would have significant adverse impacts on public services or facilities. Additionally, 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 17-6052 to the City Council with a recommendation of approval, based on the findings discussed throughout this report.

RECOMMENDED MOTION: "I move to forward RZN 17-6052 to the City Council with a recommendation of approval."

PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>March 26, 2018</u>	<input type="checkbox"/> Tabled	<input checked="" type="checkbox"/> Forwarded	<input type="checkbox"/> Denied
Motion: Hoffman			
Second: Brown			
Vote: 4-3-0, Johnson, Scroggin, and Niederman voted 'no'			
CITY COUNCIL ACTION: Required <u>YES</u>			
Date: <u>April 17, 2018 (tentative)</u>	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	

BUDGET/STAFF IMPACT:

None

Attachments:

- Unified Development Code:
 - §161.07, RSF-4, Residential Single-family, 4 Units per Acre
 - §161.29, NC, Neighborhood Conservation
- Request letter (revised)
- Rezone Exhibit
- Public Comment
- One Mile Map
- Close-Up Map
- Current Land Use Map
- Future Land Use Map

161.07 - District RSF-4, Residential Single-Family - Four (4) Units Per Acre

(A) *Purpose.* The RSF-4 Residential District is designed to permit and encourage the development of low density detached dwellings in suitable environments, as well as to protect existing development of these types.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings

(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 9	Two-family dwellings
Unit 12a	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities
Unit 44	Cluster Housing Development

(C) *Density.*

	Single-family dwellings	Two (2) family dwellings
Units per acre	4 or less	7 or less

(D) *Bulk and Area Regulations.*

	Single-family dwellings	Two (2) family dwellings
Lot minimum width	70 feet	80 feet
Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet
Hillside Overlay District Lot minimum width	60 feet	70 feet
Hillside Overlay District Lot area minimum	8,000 square feet	12,000 square feet

Land area per dwelling unit	8,000 square feet	6,000 square feet
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(E) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	15 feet

(F) *Building Height Regulations.*

Building Height Maximum	45 feet
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Height Regulations. Structures in this District are limited to a building height of 45 feet. Existing structures that exceed 45 feet in height shall be grandfathered in, and not considered nonconforming uses.

(G) *Building Area.* On any lot the area occupied by all buildings shall not exceed 40% of the total area of such lot.

161.29 - Neighborhood Conservation

(A) *Purpose.* The Neighborhood Conservation zone has the least activity and a lower density than the other zones. Although Neighborhood Conservation is the most purely residential zone, it can have some mix of uses, such as civic buildings. Neighborhood Conservation serves to promote and protect neighborhood character. For the purposes of Chapter 96: Noise Control, the Neighborhood Conservation district is a residential zone.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings

(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 9	Two (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 12a	Limited business*
Unit 24	Home occupations
Unit 25	Offices, studios, and related services
Unit 28	Center for collecting recyclable materials
Unit 36	Wireless communication facilities
Unit 44	Cluster Housing Development

(C) *Density.* Ten (10) Units Per Acre.

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Single Family	40 feet
Two Family	80 feet
Three Family	90 feet

(2) *Lot Area Minimum.* 4,000 square feet

(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.
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Side	5 feet
Rear	5 feet
Rear, from center line of an alley	12 feet

(F) *Building Height Regulations.*

Building Height Maximum	45 feet
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**JORGENSEN
+ASSOCIATES**
Civil Engineering · Surveying
Landscape Architecture Services

RZN 17-6052
**Request
Letter -
Revised**

124 W Sunbridge Drive, Suite 5
Fayetteville, AR 72703

Office: 479.442.9127
Fax: 479.582.4807
www.jorgensenassoc.com

March 5, 2018

City of Fayetteville
113 W. Mountain
Fayetteville, AR 72701

Attn: Development Services
Re: Rezoning

This letter is in regards to a proposed rezoning and the following required information:

- A. The current owner of this site is as follows:
 - a. James T & James F Keenan, TTEE
- B. Currently this property is zoned RSF-4. The reason for the requested *NC* zoning is to allow this property to develop in a traditional town form, with the form based zoning.
- C. The property due west is zoned P-1 (Butterfield School and Good Shepard Lutheran Church) and RSF4, along with NS-G, R-0, and RI-12. The property to the north, south, and east is RSF-4. The compatibility of NC fits well with the adjacent uses and is compatible with the 2030 plan. The transition from the NS-G, R-0, P-1 to NC, to the RSF-4 is a natural planning strategy that promotes the development pattern while preserving the surrounding zoning typologies.
- D. Existing water and sewer are on Old Missouri and Farr Lane.
- E. The requested zoning is in line with the goals of the City Plan 2030 for rezoning and development.
- F. NC is the appropriate zoning for the intended use.
- G. The adjacent streets has ample capacity to handle any additional traffic.
- H. The potential to increase the population density in this area as a result of this rezoning would not undesirably increase load on public services.
- I. While the current RSF-4 zoning isn't impractical, NC zoning would be more practical.

Please review this application and let us know if there are any questions that we may be able to answer.

Thanks.

Jorgensen + Associates

Planning Commission
 March 26, 2018
 Agenda Item 3
 17-6052 Keenan
 Page 12 of 33

Public Comment

From: [CityClerk](#)
To: [Garner, Andrew](#); [Stoll, Garner](#); [Henson, Pam](#)
Cc: [emjhollingsworth@yahoo.com](#); [Bolinger, Bonnie](#); [Pennington, Blake](#); [Broyles, Lana](#); [citycouncil@matthewpetty.org](#); [Marr, Don](#); [Eads, Gail](#); [Roberts, Gina](#); [Henson, Pam](#); [Johnson, Kimberly](#); [Williams, Kit](#); [Branson, Lisa](#); [Jordan, Lioneld](#); [Lynch, Rhonda](#); [Mulford, Patti](#); [Norton, Susan](#); [Ramos, Eduardo](#); [Smith, Lorinda](#); [Smith, Sondra](#); [Gray, Adella](#); [Marsh, Sarah](#); [Kinion, Mark](#); [Tennant, Justin](#); [Bunch, Sarah](#); [La Tour, John](#); [Smith, Kyle](#)
Subject: FW: Community Position on Rezoning & Rolling Hills Drive Expansion
Date: Monday, March 05, 2018 8:14:22 AM
Attachments: [Attachment 1 - 20170706 City Council Agenda Memo pdf.pdf](#)
[Attachment 2 - 2RZN17-6052 20180220 Agenda Memo.pdf](#)
[Attachment 3 - Geology King, M.E. Bedrock Geology of Fayetteville Quadrangle.pdf](#)
[Attachment 4 - Topography 20140626 AR Fayetteville 20140626 TM geo Topo pdf.pdf](#)
[Attachment 5 - National Wetlands Inventory.pdf](#)
[Attachment 6 - 20180130 22102210858 228 Soil Map.pdf](#)
[Attachment 7 - Corrosion 20180130 22202210451 16 Corrosion of Concrete.pdf](#)
[Attachment 8 - Warwick Listing.pdf](#)

Please see email below regarding Rolling Hills Subdivision.

From: Emily J. Brickman [mailto:emjhollingsworth@yahoo.com]
Sent: Sunday, March 04, 2018 9:20 PM
To: dog13gregg@aol.com; rautry333@gmail.com; lesliebeld@aol.com; zniederman.planningcommission@gmail.com; atq@flintlocklab.com; matthew.johnson@mercy.net; matt@mbi-arch.com; rnoble@crcrawford.com; Sloanscroggin.planning@gmail.com; Garner, Andrew <agarner@fayetteville-ar.gov>; CityClerk <cityclerk@fayetteville-ar.gov>
Subject: Fwd: Community Position on Rezoning & Rolling Hills Drive Expansion

Please see my emails below sent to city council and others. I graciously hope you take into consideration my positions and the information below prior to making decision regarding Rolling Hills and the potential proposed rezoning.

Sincerely,

Emily Brickman

-----&

M

Hello,

I am contacting you in relation to ADM-18-6098 Rolling Hills Dr. MSP Amend, 252-253: Submitted by the planning division to amend the master street plan to downgrade Rolling Hills Drive from a Principal Arterial to a Collector. Although I appreciate the consideration to downgrade RH, I disagree with this proposed amendment. The existing RH should be downgrade to a Collector, but the proposed extension area for RH should be removed altogether from the plan. My proposed recommendation is in line with conclusions reached in the neighborhood meeting held on February 22, 2018.

Thanks for your consideration,

Emily J. Brickman
Professional Geologist, AR, TX, MO
[3183 North Katherine Avenue](#)
[Fayetteville, Arkansas 72703](#)

Begin forwarded message:

From: Emily Hollingsworth <emjhollingsworth@yahoo.com>
Date: February 11, 2018 at 4:06:46 PM CST
To: "mayor@fayetteville-ar.gov" <mayor@fayetteville-ar.gov>,
"dmarr@fayetteville-ar.gov" <dmarr@fayetteville-ar.gov>,
"city_attorney@fayetteville-ar.gov" <city_attorney@fayetteville-ar.gov>,
"ward4_pos1@fayetteville-ar.gov" <ward4_pos1@fayetteville-ar.gov>,
"ward1_pos1@fayetteville-ar.gov" <ward1_pos1@fayetteville-ar.gov>,
"ward1_pos2@fayetteville-ar.gov" <ward1_pos2@fayetteville-ar.gov>,
"ward2_pos1@fayetteville-ar.gov" <ward2_pos1@fayetteville-ar.gov>,
"ward3_pos2@fayetteville-ar.gov" <ward3_pos2@fayetteville-ar.gov>,
"ward3_pos1@fayetteville-ar.gov" <ward3_pos1@fayetteville-ar.gov>,
"ward2_pos2@fayetteville-ar.gov" <ward2_pos2@fayetteville-ar.gov>,
"jcurth@fayetteville-ar.gov" <jcurth@fayetteville-ar.gov>,
"agarner@fayetteville-ar.gov" <agarner@fayetteville-ar.gov>
Subject: Community Position on Rezoning & Rolling Hills Drive Expansion
Reply-To: Emily Hollingsworth <emjhollingsworth@yahoo.com>

Dear Mayor, City Council, and City Planners,

I have spoken with many of you about the possible rezoning of the 22.59 acre parcel east of Rolling Hills Drive and Old Missouri and the possible extension of Rolling Hills Drive (RH). Since we have spoken, community members have collected over 1,000 signatures on change.org and over 50 on-paper signatures for the petition titled "Permanently Remove the Rolling Hills Drive to Crossover/265 Extension From Any Master Plan". In addition, we created a logo "We Love Rolling Hills, Keep Our Streets Small and Our Trees Tall", set up a Facebook group, and have had approximately 50 people contribute more than \$1,450 to purchase yard signs which just arrived.

Many, or all of you have said and official city documentation indicate that the rezoning is not related to the expansion of RH. I would like to beg to differ. If you would kindly reference the City Staff Review Form dated July 26, 2017 (2017-0335, Attachment 1), you will see that the rezoning from RSF-4 to NS-G of an approximately 11-acre portion of the 50-acre property is referenced in relation to the "Planned Principal Arterial link connecting Rolling Hills Drive in the west with Old Wire and Crossover Roads to the east". Reference to the RH expansion is included seven times throughout this 27 page document and is used for justification of the rezoning. In addition, the 2/20/2018 Staff Review on the rezoning from RSF-4 to NC (2018-00085, Attachment 2) mentions the RH extension six times. In the eyes of a citizen and based on a cursory review of city planning documentation, zoning classification and RH expansion are combined

items as they both have significant impacts on the future use of the property.

The following is information which should be considered prior to developing the 50-acre parcel located to the east of Old Missouri Road, north of Oldwire Road and North Strawberry Drive to the south, to the west of Oak Bailey Drive and North Katherine Ave to the east, and to the south of Farr Land and Raven Trail to the north.

Site Background Information

Both the larger 50 acre parcel and the 22.59 acres proposed for rezoning (the site) are located within the United States Geological Survey (USGS) Fayetteville Quadrangle. As seen on the Bedrock Geology of Fayetteville Quadrangle included as Attachment 3, the site is bisected by the southwest-to-northeast trending Fayetteville Fault and shales and sandstones of the Fayetteville Shale and the Cain Hill Member of the Hale Formation outcrop at the surface. As shown on the geologic map, a dramatic change in surface elevation occurs along the fault trace bisecting the property. The topographic contours on the geologic map and the USGS topographic map for Fayetteville quadrangle (Attachment 4) indicate approximately 100 to 120 ft of elevation change occurs from Raven Trail (Farr Lane) in the north to Strawberry Drive to the southeast. Although the Staff Review mentions numerous times throughout the document the property's "significant downward grade", none of the figures provided in documentation include surface elevation contours. Hopefully, the visuals included as part of this email will help you to better understand the relevance of geology and topography to the site.

Additionally and as shown on the topographic map included as Attachment 4, none of the maps or text included in either Staff Review mentions the tributary to Mud Creek which is mapped as originating near the northeast corner of the Butterfield Trail Elementary School property. This tributary flows to the north towards Raven Trail and through residential property, then flows to the northwest to the confluence with an unnamed tributary to Mud Creek. Surface water from the vast majority of the site, upgradient from North Strawberry Drive, North Katherine Avenue, Warwick Drive, and even the elementary school, flows into this surface water drainage.

My son and I have walked this terrain many times on our way to kindergarten drop off and pickup; we have observed a large depression near the northeast corner of the elementary school property, large volumes of surface water within this depression, and surface water inundation of downgradient properties. In addition, I have listened to the concerns of these downgradient property owners related to historical flooding of their properties and concerns for how upgradient development could cause negative impacts.

Additionally, I will ask you to refer to Attachment 5, documentation provided by the National Wetlands Inventory for surface waters and wetlands (<https://www.fws.gov/wetlands/Data/Mapper.html>). As shown on this figure, a freshwater pond and the associated downgradient riverine system are mapped in areas in or associated with the rezoning request. Undoubtedly, dense development

of the site and the proposed rezoning area will result in increased surface water impacts on downgradient residents and should be taken into consideration when evaluating this rezoning request.

Attachment 6 is the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service Web Soil Survey Map for the site. Soil type corresponds to surface geology. The majority of the property is mapped as Enders-Leesburg Complex (8 to 20% slopes), a clayey residuum weathered from acid shale with a landform position of mountain flank. Enders-Leesburg Complex soils are described as having very limiting capacity to transmit water and a high capacity to induce surface water runoff. Attachment 7 is again provided by the USDA, and shows the Enders-Leesburg Complex soils located onsite as having a high risk of corrosion to concrete. This high risk indicates the potential for soil-induced electrochemical or chemical actions to cause corrosion and weakness to concrete. Other limiting factors identified from the USDA soil survey include poor suitability for roads, very limited septic tank absorption capacity, and very limited subsurface water management system performance.

Zoning Requests in Relation to Zoning of the Area

The proposal to modify portions of the site from RSF-4 (RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE) to Neighborhood Conservation (10 units per acre) is a very high density for this area of Fayetteville. Residential lots in Huntingdon (located to the east and north), Strawberry Drive (located to the east-southeast), and Rolling Hills (located to the west) average $\frac{1}{4}$ to $\frac{1}{2}$ acre or more in size. In addition, the rezoning would allow for potential 2, 3, and 4 family units, which there are few within the area.

No matter what your City of Fayetteville Staff Review conclude, this rezoning request does not protect the character and integrity of the existing residential areas. Speaking as a property owner in this neighborhood (Huntingdon – 3183 North Katherine Avenue), this rezoning request is not in-line with the area, specifically citing:

- inclusion of three and four family dwellings,
- potential for offices, studios, and related services,
- 10 units per acre,
- lot with minimum of 40 ft,
- lot area minimum of 4,000 square feet, and
- diminished setbacks.

Besides a very small portion of property located along the current Rolling Hills Drive, none of the aforementioned NC attributes are currently existing in our neighborhood. This rezoning request is not in line with the character and integrity of the existing area.

Zoning Requests in Relation to Zoning Near Fayetteville Elementary Schools

As you know, this zoning request is adjacent to an elementary school (Butterfield Elementary School) where children from five to nine years of age attend school. Land use near other elementary schools located outside of downtown Fayetteville includes:

- Vandergriff Elementary School is adjacent to civic and private open space, parks, and RSF-4, with the front of the school adjacent to a road and offices.
- Root Elementary school is surrounded on all sides by RSF-4 land use.
- Approximately 85% of Happy Hollow Elementary School is bordered by residential, with a small portions adjoined by Main Street Center.
- Owl Creek Elementary is adjoined by RSF-4, Institutional, Residential-Agricultural, and Community Services.

If approved, the zoning request would allow for $\frac{1}{4}$ of the Butterfield property boundary to adjoin NC zoning. This would set a precedence, as no other elementary school located outside of downtown has adjacent land with up to 10 units per acre. Not to mention the RH expansion would also put $\frac{1}{4}$ of the Butterfield property boundary adjacent to a 4, and up to 5 lane, major road, while the western property boundary would also be adjacent to a road. The request to change the zoning for a property adjacent to Butterfield Trail Elementary School is not in line with existing land use patters for other Fayetteville Elementary schools. The staff review did not discuss or evaluate land use scenarios or potential risks related to zoning near an elementary school and, in my opinion, is a misstep and shows lack of understanding of the true nature of our neighborhood as most residents either went to or chose to live in this neighborhood because of Butterfield Trail Elementary School.

This zoning request has little respect for the surrounding environment.

Other Issues of Importance

- See Attachment 8. This property listing and acreage is only accessible from Warwick Drive. The planning commission memo (Attachment 2) Infrastructure section has no mention of connecting to Warwick; however, this listing indicate otherwise. Either the developer or city is not being forthright with their plans and have not provided citizens with adequate information and notification.
- Documentation included in the zoning application indicates Raven Trail will be removed from the city parks and trails system. This is not in-line with the 2030 Master Plan, Section 10. Framework. Goal 4.i. Expand and interconnect the sidewalk and trail system at the neighborhood, citywide, and regional levels. Removing Raven Trail and turning it into a Farr Lane isn't what you would call encouragement of pedestrian mobility.
- The zoning request does not adequately plan, provide information on, or address road planning, construction requirements, and future traffic

movement which could negatively impact our neighborhoods.

- The Fayetteville 2030 Master Plan Future Land Use Map indicates the site land use as residential. It has been noted by many, that the NS zoning goes against the 2030 plan and that going against the 2030 plan creates a “very slippery slope”.
- There has been poor communication and discussion with and from the city on the vision for this project. Recent documentation indicates that the city has
 - Many of the city council or planning group have said that there is no funding for the RH expansion project and that a bond would likely be necessary. Only one of you has been forthright and mentioned the possibility for a 2020 bond covering parks and transportation which this project could be funded under. In my opinion, there has been misdirection and a lack of truth from many in the city related towards funding of this project.
 - Specific questions asked at the January 22, 2018 planning meeting by citizens were not addressed by the board; instead, the citizens were matter-a-factly told that this was infill. The applicant was not called up by the board to answer any questions.
 - Many living on or adjacent to Rolling Hills Drive did not received notification related to past city meetings, such as the one held on October 26, 2017; however, after increased community interest, people living on Rolling Hills Drive received notification (letter dated February 5, 2018 from the City of Fayetteville Arkansas RE: Rolling Hills Drive Master Street Plan Meetings).
 - As documented in information gained from the Freedom of Information Act request, it appears that the council, planning board, and the property realtor/developer have a relationship exclusive of each other, which excludes actual members of the community. I ask, why is there a need for meetings between city officials and the developer?

These are not all of my concerns; however, please consider this information while considering next steps related to the rezoning of the aforementioned property and the expansion of Rolling Hills Drive. We community members care and wish to be involved in this process.

Sincerely,

Emily J. Brickman
Professional Geologist, AR, TX, MO
3183 North Katherine Avenue
Fayetteville, Arkansas 72703

Hello,

I am contacting you in relation to ADM-18-6098 Rolling Hills Dr. MSP Amend, 252-253: Submitted by the planning division to amend the master street plan to downgrade Rolling Hills Drive from a Principal Arterial to a Collector. Although I appreciate the consideration to downgrade RH, I disagree with this proposed amendment. The existing RH should be downgrade to a Collector, but the proposed extension area for RH should be removed altogether from the plan. My proposed recommendation is in line with conclusions reached in the neighborhood meeting held on February 22, 2018.

Thanks for your consideration,

Emily J. Brickman
Professional Geologist, AR, TX, MO
3183 North Katherine Avenue
Fayetteville, Arkansas 72703

From: [CityClerk](#)
To: [Garner, Andrew](#); [Stoll, Garner](#); [Harrison, Andy](#)
Cc: peggyrjames@prodigy.net; [Bolinger, Bonnie](#); [Pennington, Blake](#); [Broyles, Lana](#); citycouncil@matthewpetty.org; [Marr, Don](#); [Eads, Gail](#); [Roberts, Gina](#); [Henson, Pam](#); [Johnson, Kimberly](#); [Williams, Kit](#); [Branson, Lisa](#); [Jordan, Lioneld](#); [Lynch, Rhonda](#); [Mulford, Patti](#); [Norton, Susan](#); [Ramos, Eduardo](#); [Smith, Lorinda](#); [Smith, Sondra](#); [Gray, Adella](#); [Marsh, Sarah](#); [Kinion, Mark](#); [Tennant, Justin](#); [Bunch, Sarah](#); [La Tour, John](#); [Smith, Kyle](#)
Subject: FW: Rolling Hills Rezoning and Extension
Date: Monday, March 05, 2018 8:09:01 AM

Please see email below regarding Rolling Hills Subdivision.

From: Peggy James [mailto:peggyrjames@prodigy.net]
Sent: Sunday, March 04, 2018 3:57 PM
To: CityClerk <cityclerk@fayetteville-ar.gov>
Subject: Rolling Hills Rezoning and Extension

Dear City Clerk,
Please make this letter part of the permanent record for this issue.
Peggy

Dear Members of the Planning Commission,

I am a 25 year resident of the Rolling Hills Subdivision. My husband and I raised our family here, so we can reflect on the many changes in the area. I'm a retired FPS teacher and my husband is retired from AT&T. The following are some of our thoughts about the items before your commission. (RH = Rolling Hills)

*** waiting to get on College from Rolling Hills can take a wait through several light changes. Putting more traffic on RH will just increase those issues.

*** Our WONDERFUL flyover and the addition of the traffic light and Whole Foods (yay) has made this area of College a traffic mess. Cars start waiting to go north near Hobby Lobby at certain times of the day. Pouring more cars into this section, instead of the Joyce or Township junctions seems more reasonable to me. Those roads have more options for where drivers can go.

*** With no access to Gregg from this intersection (RH and College - without multiple jogs through neighborhoods) it seems like an unwise decision. Get that access first so people can have choices on how to get out of the College area easily.

*** if you're ultimately going to connect to Old Wire, why don't you vastly improve the Old Wire and Old Missouri intersection as well as the section of Old Missouri from Rolling Hills up to Old Wire. (Similar to the Old Wire /Mission junction.) You'll be funneling the traffic in a very similar fashion without disrupting existing neighborhoods. The cars will all end up in the same intersection at Crossover regardless of your path.

*** as we leave our neighborhood on Loxley onto RH, there can be so much congestion that we are stuck waiting for quite a while. The intersection in question has that funny little jog and it confuses everyone.

***speed is a huge issue on RH now. This is one of the reasons it is hard to get out onto RH

**** Butterfield is a great school. The traffic in the area has increased exponentially since our son went there. He was a bike rider. Today I would not allow that. As an adult who bikes, we won't ride that way because of the speed and narrow passage. Allowing zoning in the area to be more dense than the current designation will cause so many issues for the school and

neighborhoods.

*** Butterfield is crowded now. Where will all of the area kids forced out of Butterfield be bussed to make room for the new children? The current zoning will also bring new children, but the higher density in the zoning could quadruple the number of children who would come with the lower density zoning.

Please come drive the roads in the morning and afternoon. Put your kid on a bicycle [at 3:30](#) each day. RH is only a few blocks long, yet is fed by multiple neighborhoods, shopping centers, at least 4 churches and other businesses. Deciding we need those additional changes without seeing the real issues we face is not great city planning.

Is this area of town ready for the changes the zone change and road extension will make? We do not think so!

We believe you need to take a long look at what is REALLY here and only move forward once you've solved the problems you are going to create. There are other solutions. More brainstorming is needed before you jump on the changes you're currently considering.

We obviously have plenty of people interested in the issues, so finding volunteers to help find a compromise doesn't seem out of the question.

Sincerely,

Peggy and Pat James

[2620 N. Stanton Ave.](#)

Sent from my iPad

From: [CityClerk](#)
To: [Bolinger, Bonnie](#); [Pennington, Blake](#); [Broyles, Lana](#); [citycouncil@matthewpetty.org](#); [Marr, Don](#); [Eads, Gail](#); [Roberts, Gina](#); [Henson, Pam](#); [Johnson, Kimberly](#); [Williams, Kit](#); [Branson, Lisa](#); [Jordan, Lioneld](#); [Lynch, Rhonda](#); [Mulford, Patti](#); [Norton, Susan](#); [Ramos, Eduardo](#); [Smith, Lorinda](#); [Smith, Sondra](#); [Gray, Adella](#); [Marsh, Sarah](#); [Kinion, Mark](#); [Tennant, Justin](#); [Bunch, Sarah](#); [La Tour, John](#); [Smith, Kyle](#)
Cc: [Garner, Andrew](#); [Odom, Steve](#); [Harrison, Andy](#); [lkrauft@gmail.com](#)
Subject: FW: Rezoning near Rolling Hills neighborhood
Date: Tuesday, March 06, 2018 12:57:47 PM

From: Liz Krauft [<mailto:lkrauft@gmail.com>]

Sent: Tuesday, March 06, 2018 12:02 PM

To: [dog13gregg@aol.com](#); [rautry333@gmail.com](#); [lesliebeld@aol.com](#); [zniederman.planningcommission@gmail.com](#); [atq@flintlocklab.com](#); [matthew.johnson@mercy.net](#); [matt@mbi-arch.com](#); [rnoble@crcrawford.com](#); [Sloanscroggin.planning@gmail.com](#); [Garner, Andrew](#) <agarner@fayetteville-ar.gov>; [CityClerk](#) <cityclerk@fayetteville-ar.gov>

Subject: Rezoning near Rolling Hills neighborhood

Hello all,

My name is Liz Krauft.

Today, I'm writing to you as a citizen of Fayetteville and resident of the Rolling Hills neighborhood. I'm very concerned about the fate of our neighborhood. I've been studying maps, plans, proposals, rezoning applications, and numerous documents I've acquired via the Freedom of Information Act.

I know that Jorgenson and Associates have resubmitted their application to rezone a portion of property owned by James Keenan, due to glaring deficiencies in the previous application. It's shocking that it was approved in its incomplete state.

If the planning commission approves that application a second time, it will get sent on to the City Council whom I believe will approve it based on various master plans. I cannot properly convey via email how I am adamantly against this rezoning. I have many concerns:

1. This is a wildlife habitat full of gorgeous deer, foxes, bats, songbirds, and many other species. It is also an established wetland that is at times used as an outdoor classroom. All of this will go away as a consequence of the rezoning.
2. The intersection of Rolling Hills and Old Missouri is already dangerous for pedestrians. Children are basically playing frogger going to and from Butterfield Elementary. Traffic will increase dramatically as a consequence of the rezoning.
3. The soil on the 50 undeveloped acres is actually very unsuitable for building. A geologist has educated me enough that I know the soil is conducive to run off, and literally corrosive to concrete. Can you imagine what would happen to the properties of adjacent homeowners after a heavy rain if there was suddenly a lot of pavement in that area? Flooded properties and faulty construction would be a consequence of the rezoning.
4. This is probably the most disturbing and insulting: I have come to understand that if Rolling Hills were to be extended, it would later be connected across Crossover road to Skillern, and eventually pushed through to the Brookwater subdivision. Am I to be at peace knowing that my neighbors homes are to be destroyed, my school age children's safety is to be compromised, wildlife habitats are to be destroyed, all to create a shortcut for the wealthy people (i.e. some Razorback coaches) on the East Side of town? It's a disgrace to the hardworking people that live in our neighborhood. The favoritism of the wealthy would be an obvious consequence of the rezoning.

I'm urging you to vote against this rezoning. It will have impacts and consequences beyond the immediate area proposed. I'm looking at the big picture, and I hope you will too. Please consider the wishes of hundreds of families that are proud to live in the heart of Fayetteville, and not the desires of a few.

I appreciate your time,
Liz Krauft

From: [CityClerk](#)
To: [Bolinger, Bonnie](#); [Pennington, Blake](#); [Broyles, Lana](#); citycouncil@matthewpetty.org; [Marr, Don](#); [Eads, Gail](#); [Roberts, Gina](#); [Henson, Pam](#); [Johnson, Kimberly](#); [Williams, Kit](#); [Branson, Lisa](#); [Jordan, Lioneld](#); [Lynch, Rhonda](#); [Mulford, Patti](#); [Norton, Susan](#); [Ramos, Eduardo](#); [Smith, Lorinda](#); [Smith, Sondra](#); [Gray, Adella](#); [Marsh, Sarah](#); [Kinion, Mark](#); [Tennant, Justin](#); [Bunch, Sarah](#); [La Tour, John](#); [Smith, Kyle](#)
Cc: [Garner, Andrew](#); [Stoll, Garner](#); [Harrison, Andy](#)
Subject: FW: Please Oppose Rezoning
Date: Tuesday, March 06, 2018 7:40:26 AM

From: Tonya Landrum [mailto:travel.teach.transform@gmail.com]

Sent: Monday, March 05, 2018 5:37 PM

To: CityClerk <cityclerk@fayetteville-ar.gov>

Subject: Please Oppose Rezoning

I would like for this message to be part of the official record and am writing to ask that you oppose the rezoning of the land on the east side of Rolling Hills. Additionally, we are very interested in that land being protected rather than developed and ask that you do all in your power to see that the area does not become a mass of cookie-cutter housing. If any rezoning happens, it needs to be to ensure protection of that green space, fewer houses and safety for our school children.

While I understand that this is an overlapping of several issues, I am extremely concerned about the future of our neighborhood. The rezoning and development of the many acres south of Butterfield seems contrary to what the City of Fayetteville says it represents. Our city needs its trees, its wooded areas and its wildlife habitat. The citizens do not want large tracts of land clear cut in order to have developers put up subdivisions. While I understand there is a need for housing, the city must be intentional and proactive in order to maintain the character and small town feel of Fayetteville. Clear cutting trees and flattening large green spaces in the heart of Fayetteville is not in our best interest. We must find the best approach for ensuring that some of that green space be protected.

As the city works diligently to address population growth, a conscientious effort must be continuously renewed in order to prioritize the quality of life of local citizens rather than the wishes and whims of wealthy, self-interested developers and businessmen. We deserve better, our environment deserves better, and this great city deserves better.

I sincerely appreciate your time and efforts regarding the matter of the rezoning. I firmly believe that the far majority want what is best for our wonderful community. Please, when you consider that matter of rezoning, prioritize the needs of the majority and oppose this unacceptable proposal.

Warm regards,
Tonya Landrum

From: [CityClerk](#)
To: [Boling, Bonnie](#); [Pennington, Blake](#); [Broyles, Lana](#); [citycouncil@matthewpetty.org](#); [Marr, Don](#); [Eads, Gail](#); [Roberts, Gina](#); [Henson, Pam](#); [Johnson, Kimberly](#); [Williams, Kit](#); [Branson, Lisa](#); [Jordan, Lioneld](#); [Lynch, Rhonda](#); [Mulford, Patti](#); [Norton, Susan](#); [Ramos, Eduardo](#); [Smith, Lorinda](#); [Smith, Sondra](#); [Gray, Adella](#); [Marsh, Sarah](#); [Kinion, Mark](#); [Tennant, Justin](#); [Bunch, Sarah](#); [La Tour, John](#); [Smith, Kyle](#)
Cc: [Garner, Andrew](#); [Stoll, Garner](#); [Harrison, Andy](#); [aemccclard@gmail.com](#)
Subject: FW: Rolling Hills Rezoning Request
Date: Tuesday, March 06, 2018 3:24:46 PM

-----Original Message-----

From: Anna McClard Pope [<mailto:aemccclard@gmail.com>]
Sent: Tuesday, March 06, 2018 3:13 PM
To: [dog13gregg@aol.com](#); [rautry333@gmail.com](#); [lesliebeld@aol.com](#); [zniederman.planningcommission@gmail.com](#); [atq@flintlocklab.com](#); [matthew.johnson@mercy.net](#); [matt@mbl-arch.com](#); [rnoble@crcrawford.com](#); [Sloanscroggin.planning@gmail.com](#); Garner, Andrew <agarner@fayetteville-ar.gov>; CityClerk <cityclerk@fayetteville-ar.gov>
Subject: Rolling Hills Rezoning Request

Dear Planning Commission Officials,

As a citizen of Fayetteville and member of the Rolling Hills Community, I would like to express my opposition to the rezoning request put forth by Jorgenson and Associates. The impact to the current infrastructure, schools, and environment has not been studied to a degree to provide sufficient evidence that this will not negatively impact the area.

In addition, I am concerned for the wildlife that resides in the Wetlands area that would be destroyed as the result of this potential development.

I would like to add my statement to the public record.

Thank you,
Anna

Garner, Andrew

From: Kristin Bosc <kristinbosc@yahoo.com>
Sent: Thursday, March 8, 2018 4:43 AM
To: dog13gregg@aol.com; rautry333@gmail.com; lesliebeld@aol.com;
zniederman.planningcommission@gmail.com; atq@flintlocklab.com; matthew.johnson@mercy.net;
matt@mbi-arch.com; rnoble@crcrawford.com; Sloanscroggin.planning@gmail.com; Garner, Andrew
Subject: Rezoning

Dear Council Members and City Planners,

I am writing to add my voice to the growing number of East Fayetteville residents concerned about the rezoning of the land adjacent to Butterfield School. I am a resident of Huntingdon Neighborhood, the parent of a 1st grader at Butterfield, and a voter in Fayetteville.

I attended the community meeting on 2/23, and know that you are all well-aware of the data regarding the inadvisability of the rezoning of the land adjacent to the school. I do understand the statement one of the officials made that there are winners and losers in a situation like this. My sincere hope and plea is that you will consider who the true losers are in this particular case--the students whose education and safety are at stake.

Thank you for taking the time to read this. It seems unlikely that the City Planners will reject the rezoning request or that the City Council will reject the recommendation of the City Planners. Past behavior is the best predictor of future behavior. The silver lining is that the exposure of this biased, if not overtly corrupt, rezoning process has reinvigorated voters who have taken for granted that our city leaders have our best interest at heart and spurred what appears to be the beginning of a true grassroots movement.

Sincerely,
Kristin Bosc, PhD
Clinical Neuropsychologist
Washington Regional--Pat Walker Senior Clinic
Mother of Lucas Bourdon, Mrs. Wingo's 1st-grade class, Butterfield Elementary

Garner, Andrew

From: Tanya Owen <owenvoc@gmail.com>
Sent: Thursday, March 8, 2018 9:02 AM
To: dog13gregg@aol.com; rautry333@gmail.com; lesliebeld@aol.com;
zniederman.planningcommission@gmail.com; atq@flintlocklab.com; matthew.johnson@mercy.net;
matt@mbi-arch.com; rnoble@crcrawford.com; Sloanscroggin.planning@gmail.com; Garner, Andrew
Subject: Rezoning

Dear commissioners:

This is my second email to you to again request that you consider what you are approving when you approve the request to rezone the parcel of land owned by James Keenan.

You have made the Huntingdon subdivision a walk-able neighborhood and have celebrated it as such with news coverage, events, etc. Now, you want to re-route traffic into the same area you have declared to be "walk-able."

I have asked you to please survey the amount of available, commercial property in this area, as there is always a place to rent. I'm not sure if you have driven this area lately, but I did and I found 10+ properties for rent/lease in this area. We did not need more, yet you approved the area for additional commercial space.

We have serious speeding problems in our residential neighborhoods already. You removed the Rolling Hills speed tables, after speeders complained to you. You re-routed speeders through our Huntingdon neighborhood, when you needed to do construction in our area. Now, you are asking to route a major thoroughfare through our neighborhood. I'm unsure how the historic district/ Wilson Park neighborhoods maintained their speed tables while we lost ours, but we would appreciate the same consideration as the other neighborhoods have.

Finally, the land that is asking to be re-zoned and developed has concerning development issues including poor soil, poor drainage, etc. In fact, if you do your research, you will learn that Jim Lindsey tried to buy this land years ago but abandoned the project when he learned how poor the land quality was. Now, you are rubber-stamping Keenan, Weigel and their partners to develop this land, without consideration of runoff issues, noise pollution problems, soil quality, etc.

In closing, please do your due diligence when considering the pros/ cons of this project. I know that the Jorgensen/ Weigel/ Keenan coalition is powerful but there are many, less powerful citizens, with concerns about what you are approving.

Sincerely,
Tanya Owen

Garner, Andrew

From: karen mcclard <karen.mcclard@gmail.com>
Sent: Sunday, March 11, 2018 8:17 PM
To: dog13gregg@aol.com; rautry333@gmail.com; lesliebeld@aol.com;
zniederman.planningcommission@gmail.com; atq@flintlocklab.com; matthew.johnson@mercy.net;
matt@mbi-arch.com; rnoble@crcrawford.com; Sloanscroggin.planning@gmail.com; CityClerk;
Garner, Andrew
Subject: Rolling Hills Rezoning Request

Dear Planning Commission Officials,

As a citizen of Fayetteville and member of the Rolling Hills Community, I would like to express my opposition to the rezoning request put forth by Jorgenson and Associates. The impact on the current infrastructure, schools, and environment has not been sufficiently studied to provide sufficient evidence that this will not negatively impact the area.

In addition, I am concerned for the wildlife that resides in the Wetlands area that would be destroyed as the result of this potential development.

I would like to add my statement to the public record.

Thank you,
Karen McClard
2167 E. Wolf Creek Drive
Fayetteville, AR 72703

Garner, Andrew

From: Glenn Siegel <gslizard@gmail.com>
Sent: Sunday, March 11, 2018 10:32 PM
To: dog13gregg@aol.com; rautry333@gmail.com; lesliebeld@aol.com;
zniederman.planningcommission@gmail.com; atq@flintlocklab.com; matthew.johnson@mercy.net;
matt@mbi-arch.com; rnoble@crcrawford.com; Sloanscroggin.planning@gmail.com; Garner, Andrew;
CityClerk; Mayor
Subject: Rolling Hills extension plus idea of re-zoning

Planning Commission:

As a citizen of Fayetteville and member of the Rolling Hills community, I am opposed to extending Rolling Hills to Crossover. I realize that Fayetteville continues to grow but all the more reason for judicious decisions when it come to eradicating the natural environments that are already diminishing all over the city. Limits to where the growth of population and density must always be made in order to preserve these natural treasures and the wildlife within them. Our children and grandchildren need these areas for their own connection to nature and balance against the spread of urban density. There are numerous ways to travel from College to Crossover already.

I want to make my opinion known as you proceed with this serious decision that can have destructive consequences to the quality of life in this part of Fayetteville. It would be much more enriching for that area to be preserved in its wild, nature condition.

Furthermore, the idea of re-zoning that area, which may arise on another agenda is even more disturbing since it clearly serves the interest of the few who are interested in profiting at the expense of the rest of us in this neighborhood. Greed of a few regarding packing in more dwellings for greater profit should not drive decisions when the overall environment and neighborhood quality of life is at stake.

I would like to add this statement to the public record.

Glenn Siegel
2167 E. Wolf Creek Dr.
Fayetteville, AR 72703

CityClerk

From: Curth, Jonathan
Sent: Tuesday, April 03, 2018 7:57 AM
To: CityClerk
Subject: FW: Rolling Hills Drive

Good morning,

Please find below public comment related to the proposal to amend the Master Street Plan and downgrade Rolling Hills Drive.

Thanks,

Jonathan Curth
Senior Planner
City Planning Division
City of Fayetteville, Arkansas
jcurth@fayetteville-ar.gov
479.575.8308

[Website](#) | [Facebook](#) | [Twitter](#) | [Youtube](#)

From: Marilyn Davis [mailto:mddavisdan@gmail.com]
Sent: Monday, April 02, 2018 4:57 PM
To: Curth, Jonathan <jcurth@fayetteville-ar.gov>
Subject: Rolling Hills Drive

I have looked at your master plan for this extension. It is an ill thought out and awkward plan. If you want to develop the area north of the T at Rolling Hills and Old Missouri, go ahead. You don't need to make it a through street to 265. I live on Sharon Street and my neighborhood connects to Huntington subdivision. Going to Oak Bailey to turn onto Old Wire Road is not so easy. Turning left is an extremely acute angle and Oak Bailey is so wide there that cars pull up on the left of you and cut off the view. Same situation when turning from Old Wire to Oak Bailey. The angle is so acute that cars from behind nearly hit you because they don't think you will have to slow down as much as you actually do. Plus, visibility is almost nothing, due to the hill and curve to 265. When the light on 265 turns green, cars begin to barrel up the hill and you don't see them coming until they are on you. Oak Bailey cannot possibly handle the traffic that an extension would generate. You would have to do something about Old Wire as well. I see nothing but problems. Go ahead and develop the property. Make cul-de-sacs and residential roads that connect for local traffic. The area called Butterfield Plaza to the south of Northwest Rehab Hospital and Butterfield School is a perfect example of what you could do without connecting all the way to 265.

Marilyn Davis
2514 East Sharon St.
Fayetteville, AR 72703

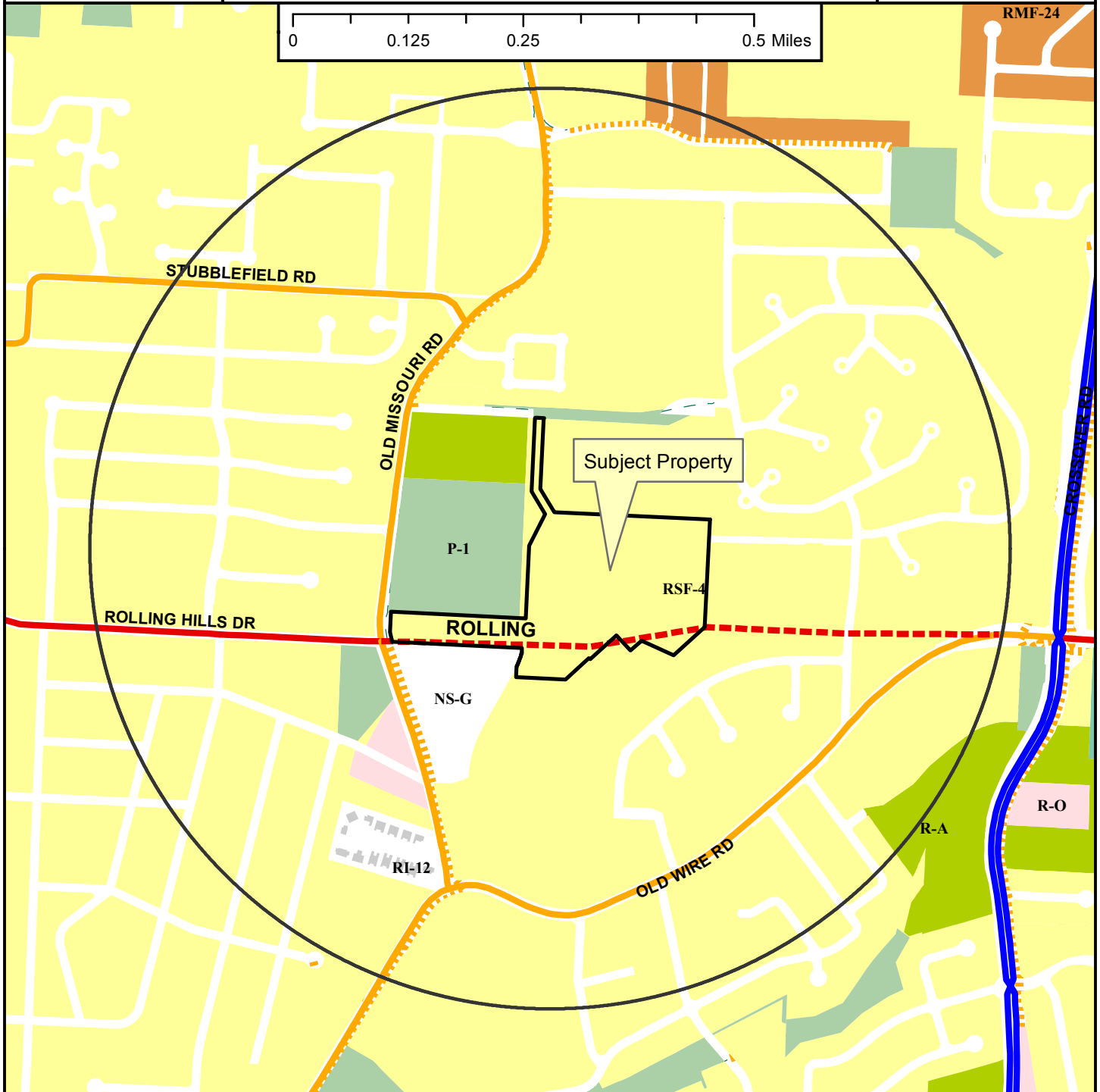
RZN17-6052

One Mile View

KEENAN

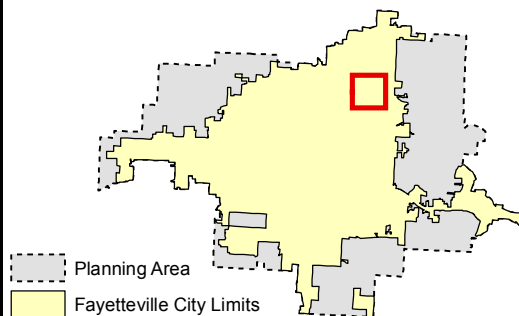


0 0.125 0.25 0.5 Miles



Legend

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



Zoning

RESIDENTIAL SINGLE-FAMILY

- RSF-5 Residential-Agricultural
- 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

COMMERCIAL

- C-1 Residential-Office
- 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

- P-1

INSTITUTIONAL

- I-1

March 26, 2018

Agenda Item 3

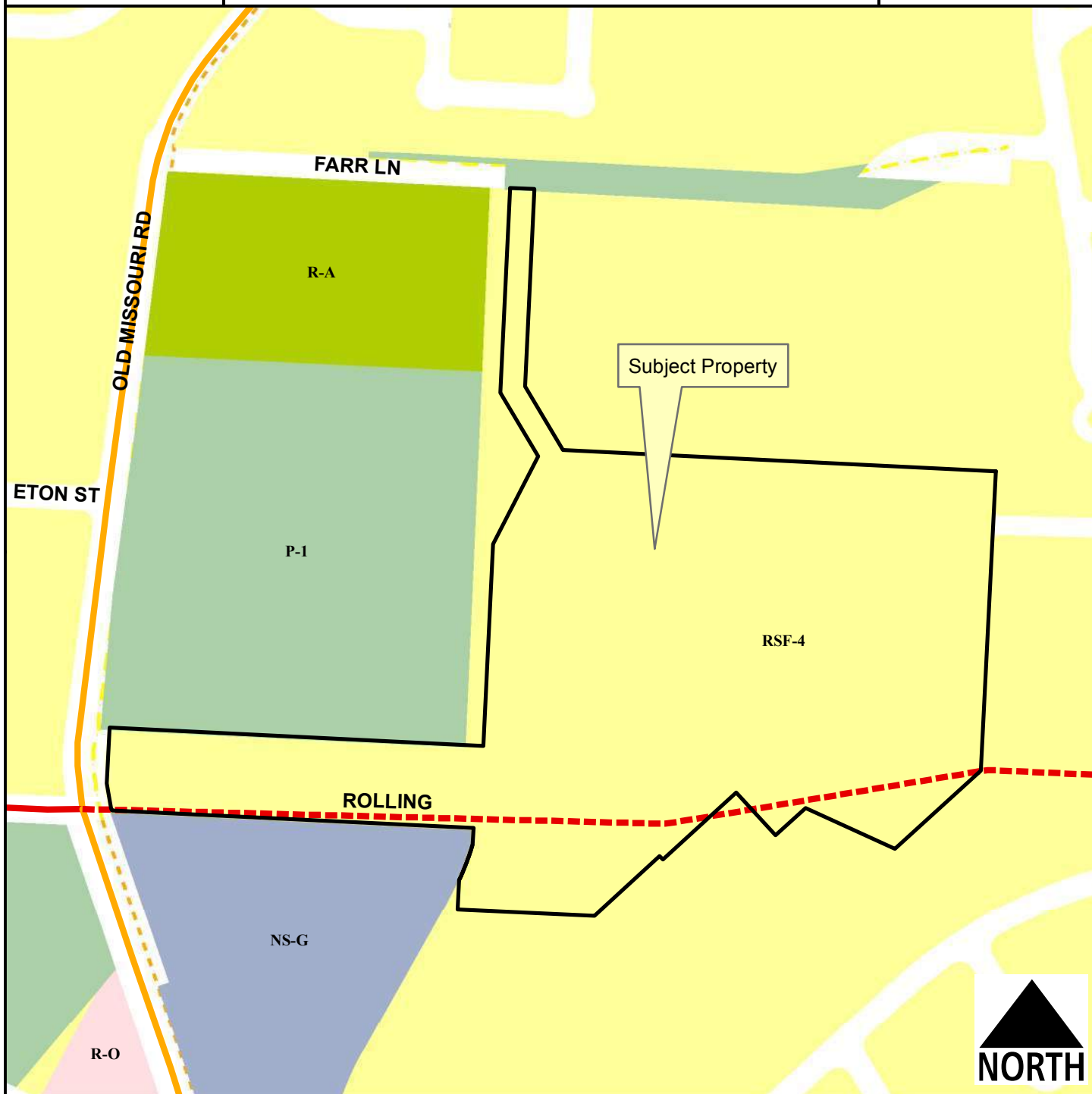
17-0052 Keenan

Page 30 of 33

RZN17-6052

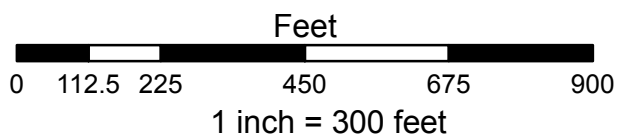
KEENAN

Close Up View



Legend

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



- Residential-Agricultural
- RSF-4
- Residential-Office
- Neighborhood Services - Gen.
- P-1

Planning Commission
March 26, 2018
Agenda Item 3
17-6052 Keenan
Page 31 of 33

RZN17-6052

KEENAN

Current Land Use



Streets Planned

MSP Class

PRINCIPAL ARTERIAL

Streets Existing

MSP Class

COLLECTOR

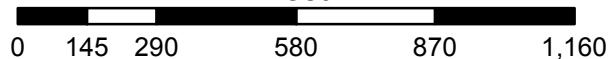
PRINCIPAL ARTERIAL

Trail (Proposed)

Planning Area

Fayetteville City Limits

Feet



1 inch = 400 feet

FEMA Flood Hazard Data

100-Year Floodplain

Floodway

Planning Commission

March 26, 2018

Agenda Item 3

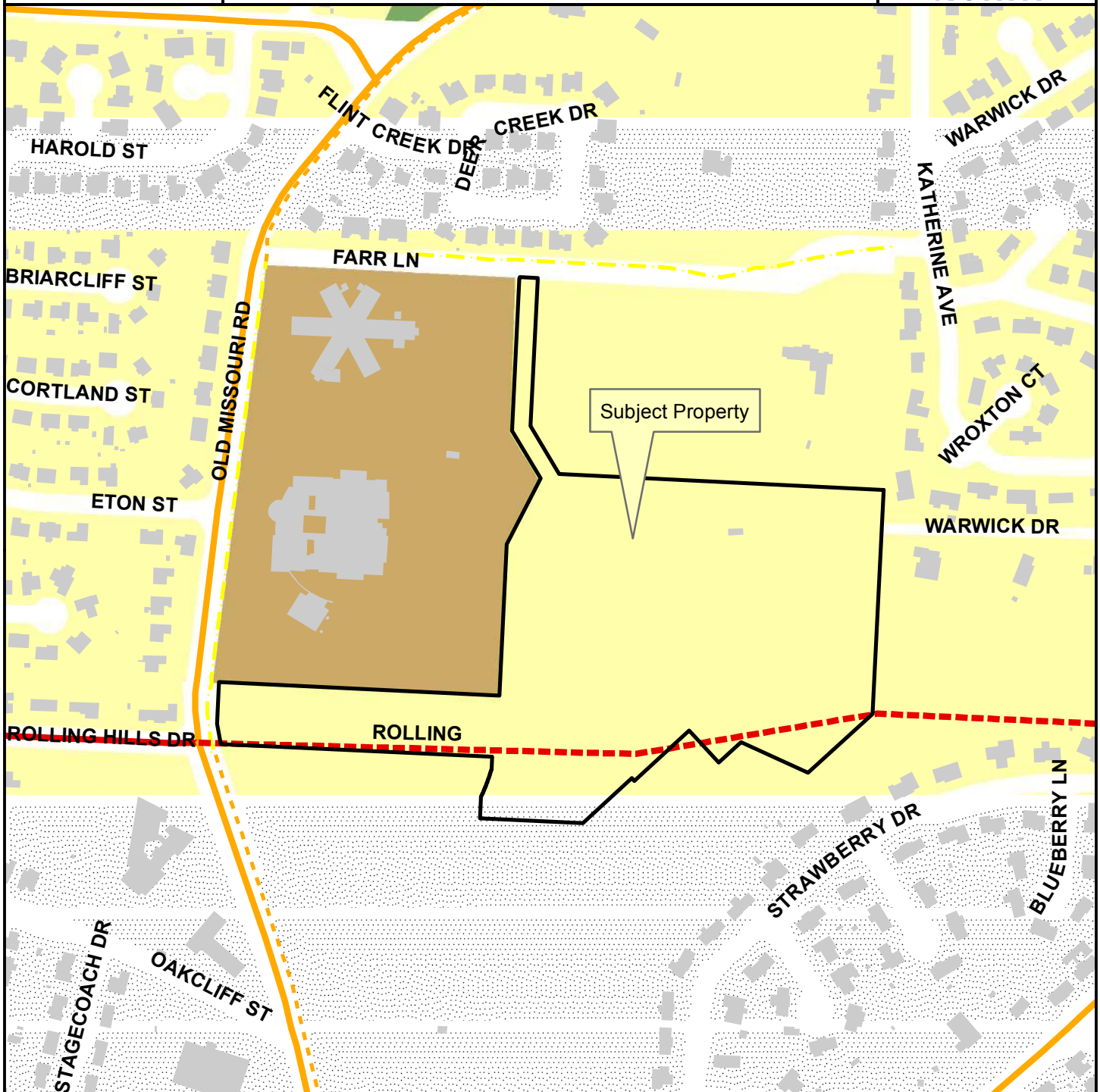
17-6052 Keenan

Page 32 of 33

RZN17-6052

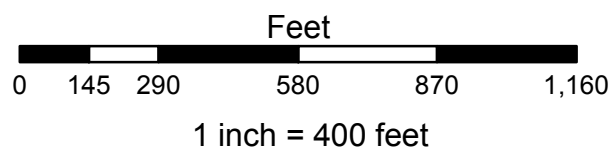
Future Land Use

KEENAN



Legend

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



FUTURE LAND USE 2030

- Natural Area
- Residential Neighborhood Area
- Civic Institutional

Planning Commission
March 26, 2018
Agenda Item 3
17-6052 Keenan
Page 33 of 33