

City of Fayetteville Staff Review Form

2018-0476

Legistar File ID

9/18/2018

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

Garner Stoll

8/28/2018

City Planning /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

RZN 18-6311: Rezone (1910 N. OLD WIRE RD./SEQUOYAH UNITED METHODIST CHURCH, 369): Submitted by OLSSON ASSOCIATES, INC. for property located at 1910 N. OLD WIRE RD. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 7.64 acres. The request is to rezone the property to P-1, INSTITUTIONAL.

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 SEPTEMBER 18, 2018

TO: Mayor, Fayetteville City Council

THRU: Garner Stoll, Development Services Director

FROM: Quin Thompson, Current Planner

DATE: August 28, 2018

SUBJECT: **RZN 18-6311: Rezone (1910 N. OLD WIRE RD./SEQUOYAH UNITED METHODIST CHURCH, 369):** Submitted by OLSSON ASSOCIATES, INC. for property located at 1910 N. OLD WIRE RD. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 7.64 acres. The request is to rezone the property to P-1, INSTITUTIONAL.

RECOMMENDATION:

The Planning Commission and staff recommend approval of the requested rezoning as depicted in Exhibits 'A' and 'B'.

BACKGROUND:

The subject property contains approximately 7.64 acres at 1910 Old Wire Road. The site is zoned RSF-4 area and was developed in the mid-1970's for Sequoyah United Methodist Church and parking lot. The sanctuary area in the church seats approximately 225 people. The eastern portion of the site is undeveloped except for open soccer and baseball fields. The Property was annexed into the City at some time between 1960 and 1969. This section of Old Wire Road is a two-lane 'Collector Street' that acts as a high-volume north-south connection.

Request: The request is to rezone the property from RSF-4 to P-1. The applicant has indicated that the rezone is necessary in order to bring the zoning into alignment with the property use, and to construct a rugby field.

Public Comment: Staff has received no public comment.

Land Use Compatibility: The proposed zoning is compatible with the surrounding residential land uses. The church has operated at this location for more than 30 years and is well-integrated into the area.

Land Use Plan Analysis: The proposed zoning is consistent with the Future Land Use Map (FLUM) designation as a Residential Area. A small neighborhood church (P-1 zoning) is a low-intensity use intended to serve the surrounding neighborhood, consistent with the description of Residential Areas in City Plan 2030.

DISCUSSION:

At the August 27, 2018 Planning Commission meeting, this item was forwarded with a recommendation for approval by a vote of 9-0-0.

BUDGET/STAFF IMPACT:

N/A

Attachments:

- Exhibit A
- Exhibit B
- Planning Commission Staff Report

DISCUSSION:

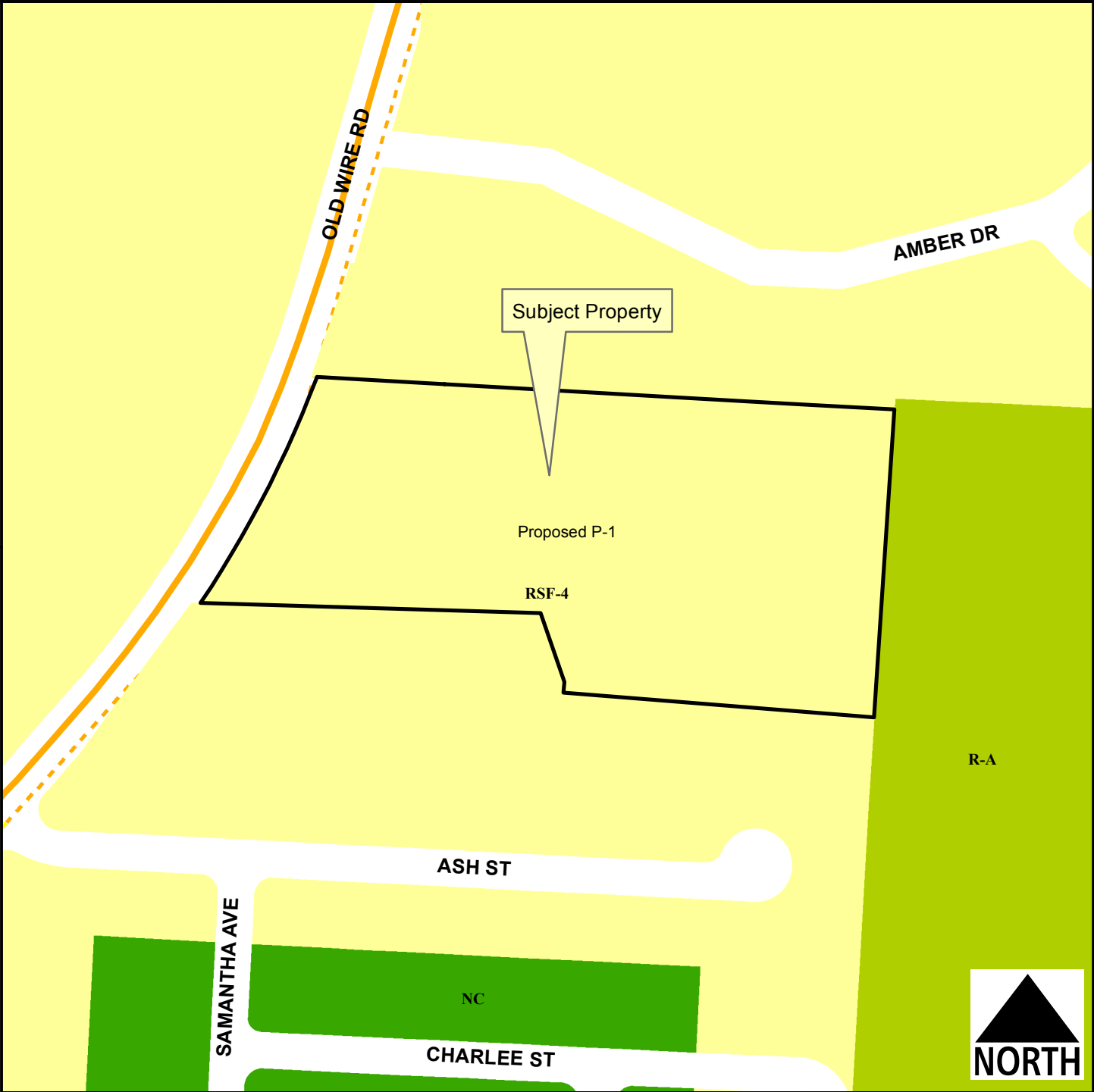
At the August 27, 2018 Planning Commission meeting, this item was forwarded with a recommendation for approval by a vote of 7-0-1 with Mr. Niederman voting 'no'.

BUDGET/STAFF IMPACT:

N/A

Attachments:

- Exhibit A
- Exhibit B
- Planning Commission Staff Report



Legend <div> <div></div> Planning Area </div> <div> <div></div> Fayetteville City Limits </div> <div> <div></div> Shared Use Paved Trail </div> <div> <div></div> Trail (Proposed) </div> <div> <div></div> Building Footprint </div>	<div> <div>Feet</div> <div> </div> <div>1 inch = 200 feet</div> </div>	<div> <div>Zoning</div> <div>Acres</div> </div> <div> <div>N/A</div> <div>2.1</div> </div>
		<div> <div>Total</div> <div>2.1</div> </div>

EXHIBIT 'B'

RZN 18-6311

PROPERTY DESCRIPTION:

From Survey by McClelland Consulting Engineers, Dated April 2010

Part of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of Section 3, Township 16 North, Range 30 West of the Fifth Principle Meridian, Washington County, Arkansas, being more particularly described as follows:

Commencing at a found concrete monument, said monument accepted and used as the northeast corner of the SE ¼ of said SE ¼ thence South 03° 29' 40" West a distance of 15.44 feet to a found ½ inch diameter iron pin, said pin accepted and used as the southeast corner of Valley Subdivision, and the POINT OF BEGINNING (P.O.B.); thence continue South 03° 29' 40" West a distance of 414.14 feet to a point from which a found ½ inch diameter iron pin bears North 86° 31' 41" West a distance of 4.32 feet; thence North 86° 31' 41" West a distance of 415.85 feet to a found 5/8 inch diameter iron pin; thence North 07° 04' 40" West a distance of 14.80 feet to a set 5/8 inch diameter iron pin; thence North 22° 06' 10" West a distance of 100.00 feet to a found ½ inch diameter iron pin; thence North 87° 15' 06" West a distance of 517.84 feet to the centerline of Old Wire Road and a set P-K nail and metal flasher; thence along said centerline the following courses: North 32° 32' 25" East a distance of 114.95 feet; North 28° 21' 58" East a distance of 125.84 feet; North 23° 03' 33" East a distance of 108.67 feet to a set P-K nail and metal flasher; thence leaving said centerline South 86° 27' 15" East a distance of 216.15 feet to a found concrete monument, said monument accepted and used as the southwest corner of Valley Subdivision; thence along the south line of said subdivision South 86° 27' 10" East a distance of 618.29 feet; to the POINT OF BEGINNING (P.O.B.) containing 7.48 acres, as surveyed and being subject to the right of way of Old Wire Road along the west boundary thereof. And also being subject to any easements, covenants, restrictions and rights of way of record.



PLANNING COMMISSION MEMO

TO: City of Fayetteville Planning Commission

THRU: Andrew Garner, City Planning Director

FROM: Quin Thompson, Planner

MEETING DATE: May 29, 2018 **UPDATED 8-28-2018**

SUBJECT: **RZN 18-6311: Rezone (1910 N. OLD WIRE RD./SEQUOYAH UNITED METHODIST CHURCH, 369):** Submitted by OLSSON ASSOCIATES, INC. for property located at 1910 N. OLD WIRE RD. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 7.64 acres. The request is to rezone the property to P-1, INSTITUTIONAL.

RECOMMENDATION:

Staff recommends forwarding **RZN 18-6311** to the City Council with a recommendation of approval, based on the findings herein.

RECOMMENDED MOTION: "I move to forward **RZN 18-6311** to the City council with a recommendation for approval."

BACKGROUND:

The subject property contains approximately 7.64 acres at 1910 Old Wire Road. The site is zoned RSF-4 area and was developed in the mid-1970's for Sequoyah United Methodist Church and parking lot. The sanctuary area in the church seats approximately 225 people. The eastern portion of the site is undeveloped except for open soccer and baseball fields. The Property was annexed into the City at some time between 1960 and 1969. This section of Old Wire Road is a two-lane 'Collector Street' that acts as a high-volume north-south connection.

Table 1
Surrounding Land Use/Zoning

Direction from Site	Land Use	Zoning
North	Residential Single-family	RSF-4, Residential Single-family
South	Residential Single-family	RSF-4, Residential Single-family
East	Fairview Memorial Cemetery	R-A, Residential Agricultural
West	Undeveloped/Residential Single-family	RSF-4, Residential Single-family

Request: The request is to rezone the property from RSF-4 to P-1. The applicant has indicated that the rezone is necessary in order to bring the zoning into alignment with the property use, and to construct a rugby field.

Public Comment: Staff has not received public comment.

INFRASTRUCTURE:

Streets: The subject parcel has access to North Old Wire Road. North Old Wire Road is an unimproved two-lane asphalt street with no sidewalk, no curb and gutter, and no storm drains. Street improvements are currently in construction that will fully improve the east side of Old Wire Road along the entire property frontage. Improvements include curb, gutter, storm drain, sidewalk, cycle track, and streetlights. Any street improvements required in these areas would be determined at the time of development proposal.

Water: Public water is available to the parcel. There are existing 6-inch and 36-inch mains along North Old Wire Road. Any main larger than 12 inches is not available for domestic service.

Sewer: Sanitary Sewer is available to the site. There is an existing 12-inch main along the backside of the parcel.

Drainage: No portion of this property is identified as FEMA regulated floodplains. The parcel does lay within the HHOD. There are no protected streams on this parcel. There are no hydric soils identified on this parcel. Any additional improvements or requirements for drainage will be determined at time of development.

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

Police: The Police Department did not comment on this request.

CITY PLAN 2030 FUTURE LAND USE PLAN: City Plan 2030 Future Land Use Map designates this area as **Residential Neighborhood Area**. These areas are primarily residential in nature and support a variety of housing types of appropriate scale and context, including single family, multifamily and rowhouses. 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 the surrounding residential land uses. The church has operated at this location for more than 30 years and is well-integrated into the area.

Land Use Plan Analysis: The proposed zoning is consistent with the Future Land Use Map (FLUM) designation as a Residential Area. A small neighborhood church (P-1 zoning) is a low-intensity use intended to serve the surrounding neighborhood, consistent with the description of Residential Areas in City Plan 2030.

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

Finding: The proposed P-1 zone is needed in order to align the property zoning with the existing land use.

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

Finding: The proposed P-1 zone is unlikely to lead to an increase in traffic over the current RSF-4 zone, however Old Wire Road is a designated 'Collector' street with adequate capacity. Traffic issues will be considered within the entitlement review process if the site is redeveloped in the future.

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: The proposed zoning is unlikely to result in a higher population density. Undesirable load on public services is not anticipated. The Police and Fire Departments have not expressed concerns about the proposed zoning district.

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 18-6311** to the City Council with a recommendation of approval, based on the findings herein.

Planning Commission Action: ☒ Forward ☐ Tabled ☐ Denied

Meeting Date: August 27, 2018

Motion: WINSTON

Second: JOHNSON

Vote: 9-0-0

BUDGET/STAFF IMPACT:

None

Attachments:

- UDC 161.07 – RSF-4, Residential Single-family/4 units per acre
- UDC 161.32 – P-1, Institutional
- Request letter
- 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

(E) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	15 feet

(F) *Building Height Regulations .*

Building Height Maximum	3 stories
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(G) *Building Area.* On any lot the area occupied by all buildings shall not exceed 40% of the total area of such lot.

(Code 1991, §160.031; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 4858, 4-18-06; Ord. No. 5028, 6-19-07; Ord. No. 5128, 4-15-08; Ord. No. 5224, 3-3-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. [5921](#), §1, 11-1-16; Ord. No. [5945](#), §8, 1-17-17; Ord. No. [6015](#), §1(Exh. A), 11-21-17)

161.32 - District P-1, Institutional

(A) *Purpose.* The Institutional District is designed to protect and facilitate use of property owned by larger public institutions and church related organizations.

(B) *Uses.*

(1) *Permitted Uses .*

Unit 1	City-wide uses by right
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use
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	permit
Unit 3	Public protection and utility facilities
Unit 26	Multi-family dwellings
Unit 36	Wireless communications facilities
Unit 42	Clean technologies

(C) *Density.* None.

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

(E) *Setback Regulations.*

Front	30 feet
Front, if parking is allowed between the right-of-way and the building	50 feet
Side	20 feet
Side, when contiguous to a residential district	25 feet
Rear	25 feet
Rear, from center line of public alley	10 feet

- (F) *Height Regulations.* There shall be no maximum height limits in P-1 Districts, provided, however, if a building exceeds the height of two (2) stories, the portion of the building that exceeds two (2) stories shall have an additional setback from any boundary line of an adjacent residential district. The amount of additional setback for the portion of the building over two (2) stories shall be equal to the difference between the total height of that portion of the building, and two (2) stories.
- (G) *Building Area.* On any lot the area occupied by all buildings shall not exceed 60% of the total area of such lot.

(Code 1965, App. A., Art. 5(XI); Ord. No. 2603, 2-19-80; Ord. No. 2621, 4-1-80; Ord. No. 1747, 6-29-70; Code 1991, §160.042; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 5073, 11-06-07; Ord. No. 5195, 11-6-08; Ord. No. 5312, 4-20-10; Ord. No. [5800](#), § 1(Exh. A), 10-6-15; Ord. No. [5945](#), §§ 5, 7, 1-17-17; Ord. No. [6015](#), §1(Exh. A), 11-21-17)

July 18, 2018

City of Fayetteville Planning Division
ATTN: Quin Thompson
125 W. Mountain St.
Fayetteville, AR 72701

Re: Rezoning Request for Sequoyah United Methodist Church
Fayetteville, Arkansas

Dear Quin:

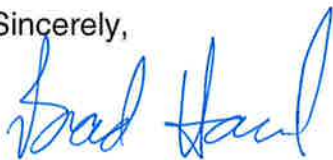
As discussed, we are providing one copy of the following documents for the above referenced rezoning request:

1. Signed rezoning application
2. Attachment A - Property Description
3. Attachment B - Statement of Compatibility
4. A check in the amount of \$330.00 for the application and sign fee

We also emailed digital copies this morning to the Planning email address.

If you have any questions or comments, please do not hesitate to contact us.

Sincerely,



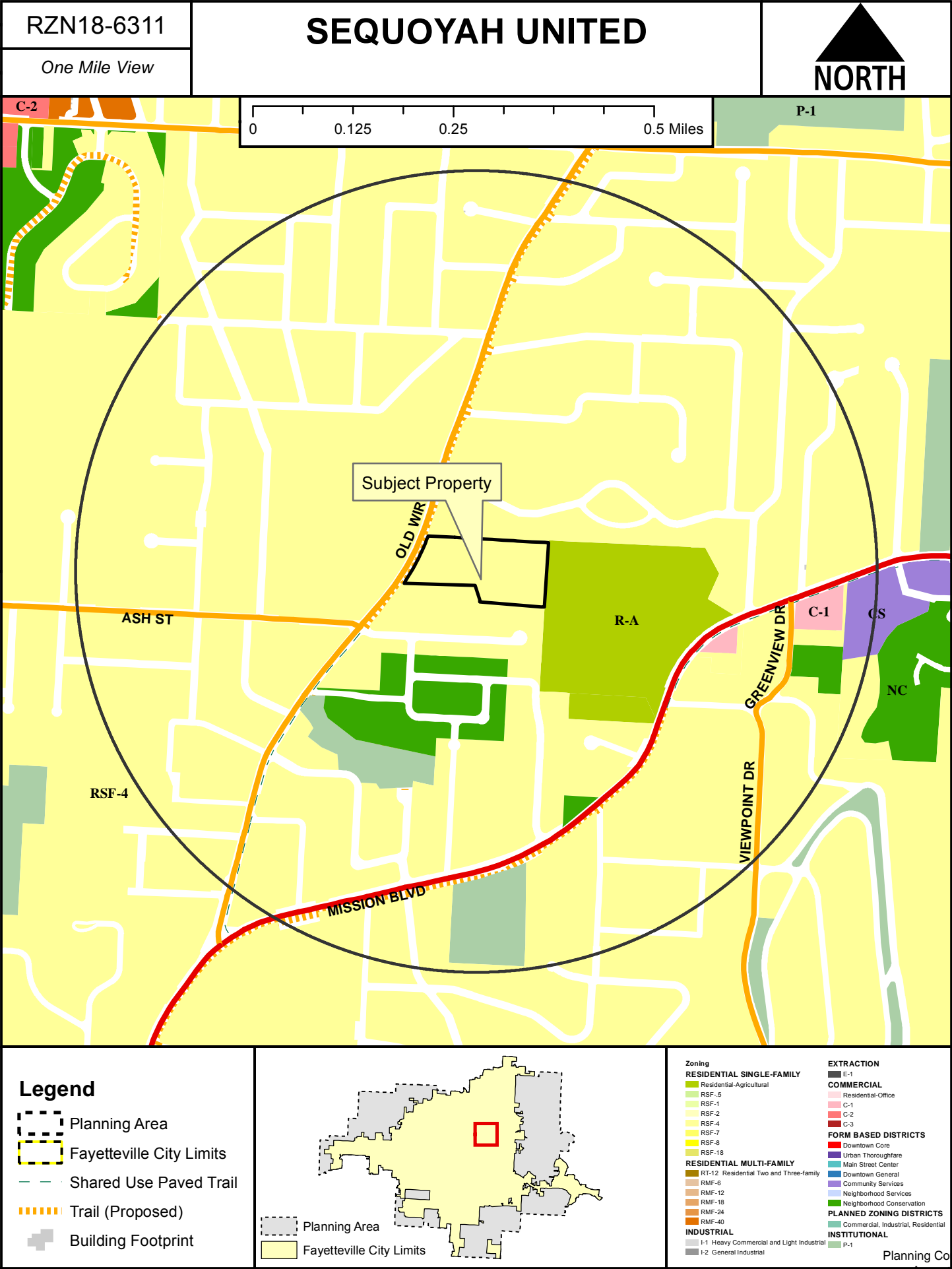
Brad B. Hammond, P.E.
Team Leader

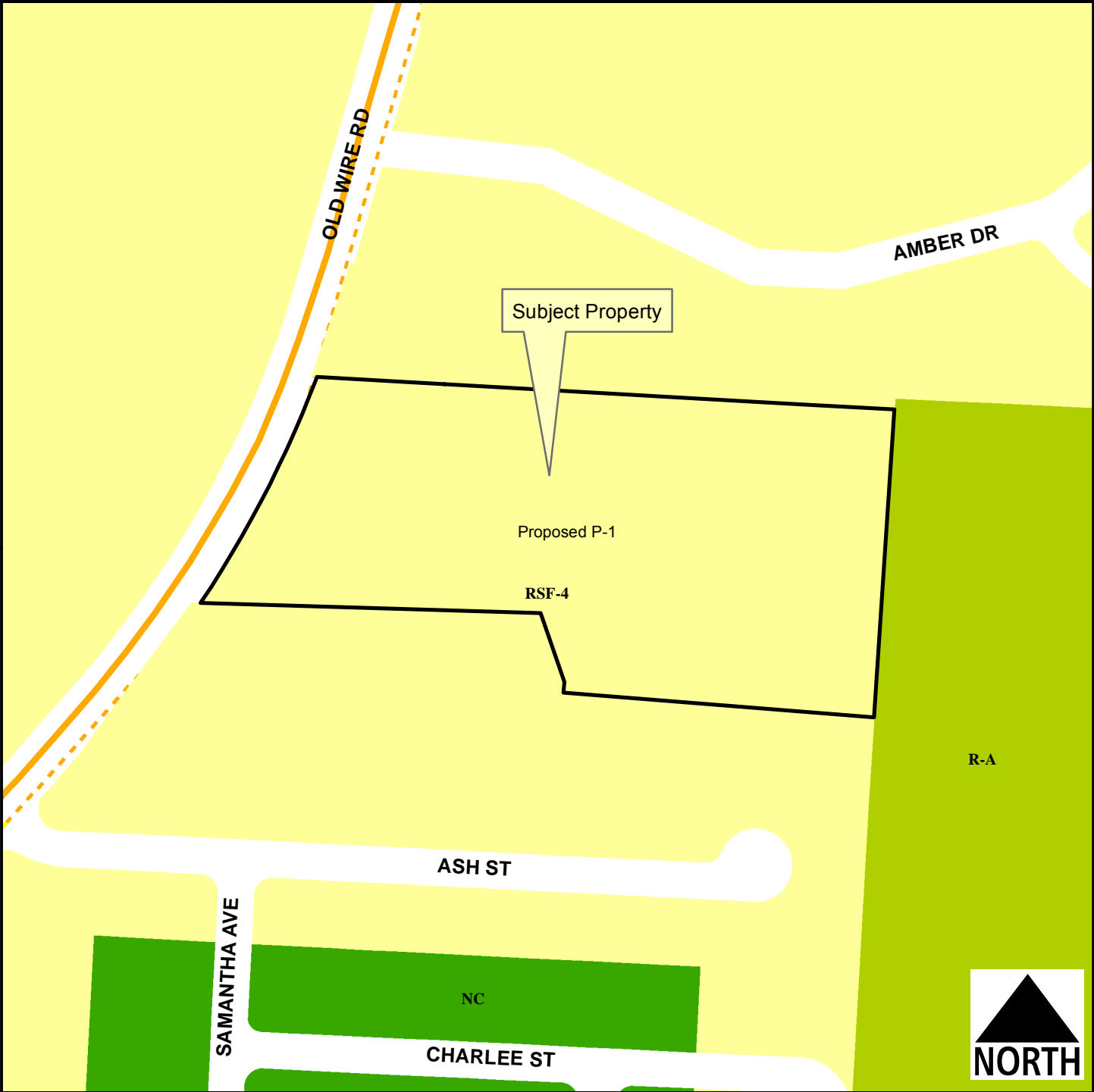
ATTACHMENT B
REZONING APPLICATION FOR SEQUOYAH UNITED METHODIST CHURCH

STATEMENT OF COMPATIBILITY

The purpose of the P-1 Institutional Zoning District is to protect and facilitate use of property owned by certain facilities including church related organizations. This property has been used by the church for decades, and the proposed zoning classification of P-1 is a more appropriate zoning district for the current use.

The church intends to continue improvements to its facilities that will be consistent with the church's mission of community outreach as well as consistent with the general intent of the P-1 Zoning District. The current and planned facilities at the church property will provide cultural and recreational opportunities for the surrounding residential area without unreasonably impacting the adjacent properties, which include residential and cemetery use. Future proposed improvements to the property, which may include recreational sports fields, community gardens, and other facilities consistent with the church's mission and goals, will be designed in accordance with required industry and city design parameters to mitigate adverse impacts to the adjacent properties.





<p>Legend</p> <ul style="list-style-type: none"> Planning Area Fayetteville City Limits Shared Use Paved Trail Trail (Proposed) Building Footprint 	<p>Feet</p> <p>0 75 150 300 450 600</p> <p>1 inch = 200 feet</p>	<table style="width: 100%;"> <thead> <tr> <th style="text-align: left;"><u>Zoning</u></th> <th style="text-align: left;"><u>Acres</u></th> </tr> </thead> <tbody> <tr> <td>N/A</td> <td>2.1</td> </tr> <tr> <td>Total</td> <td>2.1</td> </tr> </tbody> </table>	<u>Zoning</u>	<u>Acres</u>	N/A	2.1	Total	2.1
<u>Zoning</u>	<u>Acres</u>							
N/A	2.1							
Total	2.1							

RZN18-6311

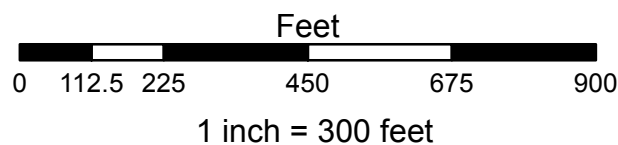
Current Land Use

SEQUOYAH UNITED METHODIST



Streets Existing MSP Class

- COLLECTOR
- PRINCIPAL ARTERIAL
- Trail (Proposed)
- Planning Area
- Fayetteville City Limits



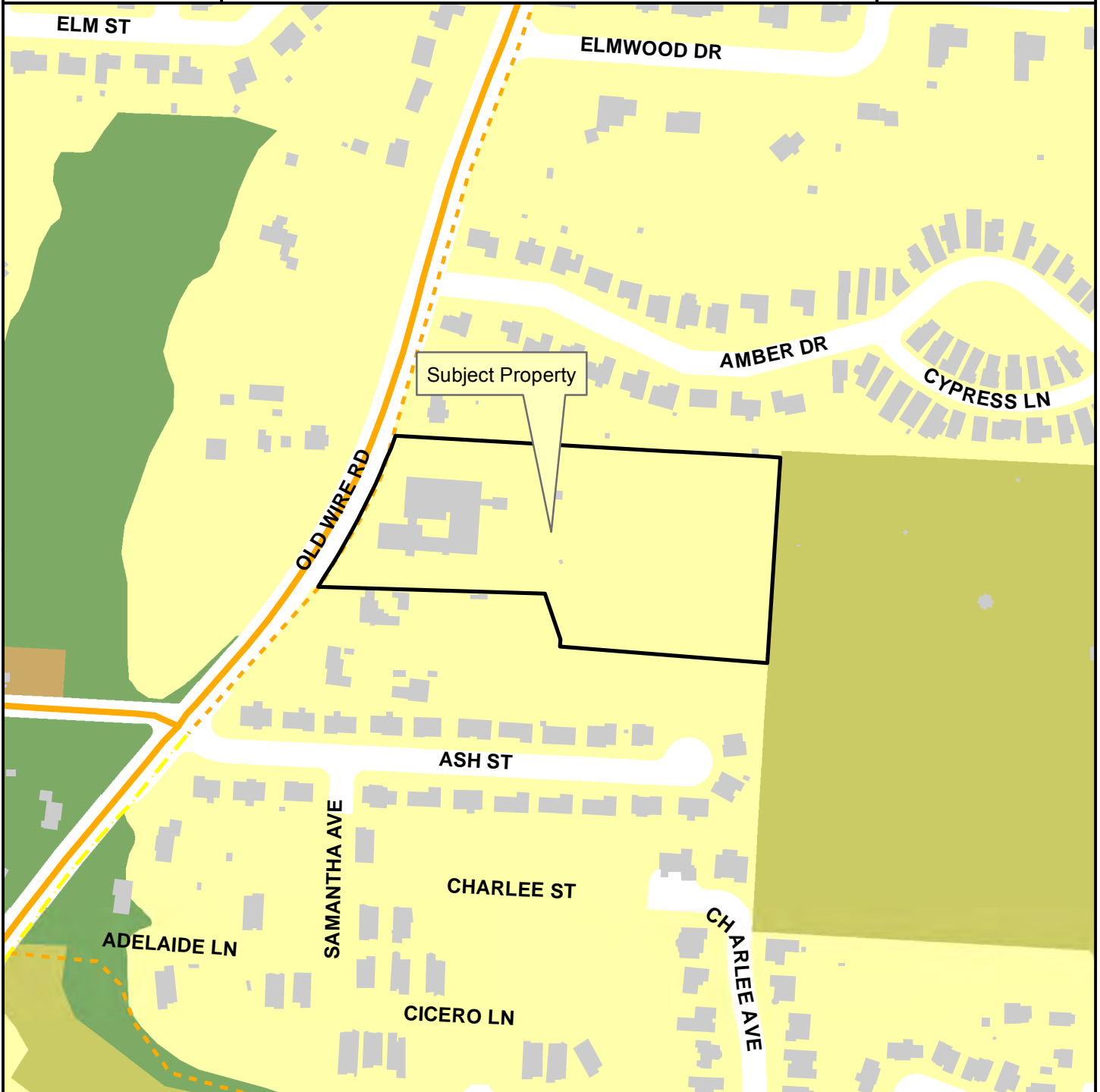
FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

RZN18-6311

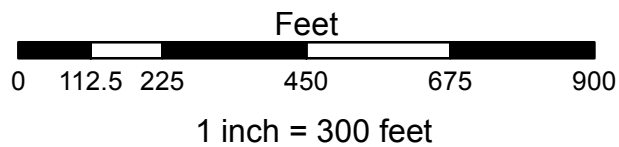
Future Land Use

SEQUOYAH UNITED



Legend

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



FUTURE LAND USE 2030

- Natural Area
- Residential Neighborhood Area
- Civic and Private Open Space/Parks
- Civic Institutional