

City of Fayetteville Staff Review Form

2018-0479

Legistar File ID

10/2/2018

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

Garner Stoll

9/14/2018

City Planning /  
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

RZN 18-6308: Rezone (1400 & 1424 N. GREGG AVE./BIRGIN, 406): Submitted by JAMES BIRGIN for property located at 1400 & 1424 N. GREGG AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 0.39 acres. The request is to rezone the property to RI-12, RESIDENTIAL INTERMEDIATE, 12 UNITS PER ACRE.

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 OCTOBER 2, 2018

**TO:** Mayor, Fayetteville City Council

**THRU:** Garner Stoll, Development Services Director

**FROM:** Harry Davis, Current Planner

**DATE:** September 14, 2018

**SUBJECT:** **RZN 18-6308: Rezone (1400 & 1424 N. GREGG AVE./BIRGIN, 406):** Submitted by JAMES BIRGIN for property located at 1400 & 1424 N. GREGG AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 0.39 acres. The request is to rezone the property to RI-12, RESIDENTIAL INTERMEDIATE, 12 UNITS PER ACRE

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#### RECOMMENDATION:

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

#### BACKGROUND:

The subject property is located on the northeast corner of Lawson Street and Gregg Avenue. The property totals approximately 0.39 acres, is zoned RSF-4, and is currently developed with two single-family homes.

*Request:* The request is to rezone the parcel from RSF-4 to RI-12, Residential Intermediate, 12 Units per Acre. The applicant stated the rezoning will help to renovate and redevelop the property.

*Public Comment:* Staff has received public comment from neighbors opposed to this rezone. Discussion in opposition of the proposal is centered on concerns over multi-family uses, consistent land use across the neighborhood, property values, traffic, sub-standard infrastructure, rental properties, and safety. The VA Hill Neighborhood Association is also opposed to this proposal and has a petition of approximately 50 signatures. The petition and all emails, letters, and photos are attached to the Planning Commission report. Members of the neighborhood raised similar concerns and expressed opposition to the project at the Planning Commission meeting.

*Land Use Compatibility:* The proposed zoning is compatible with the surrounding properties. RI-12 is limited in size and density, which when coupled with the location on a street corner along Gregg Avenue, would make it compatible with nearby properties. Due to the size of the property and a mix of surrounding residential uses, staff does not anticipate a 12 unit per acre density to be detrimental to surrounding properties and uses.

*Land Use Plan Analysis:* Staff believes that the proposal is compatible with the goals in City Plan 2030, adopted land use policies, and the future land use designation for this location. This property, designated as a City Neighborhood Area, envisions many different uses in different mixed-use configurations. RI-12 would allow a range of residential uses not allowed by-right or found in the neighborhood. RI-12 promotes traditional neighborhood development by requiring new buildings be located closer to the street. For this location in particular, having a higher-density development on a corner location would contribute to a transect of density and intensity from Gregg Avenue to the inner neighborhood.

**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:**

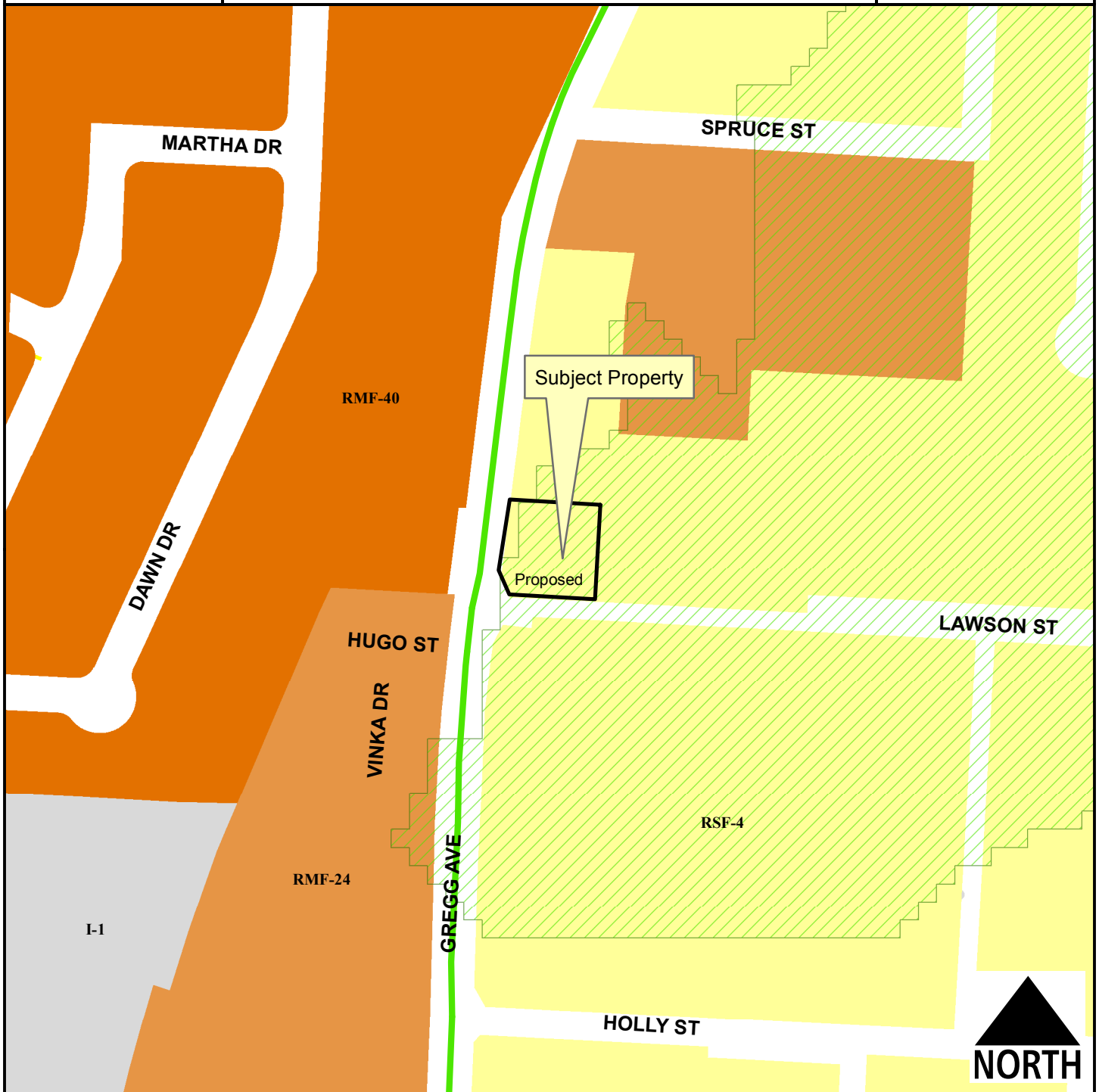
- Exhibit A
- Exhibit B
- Planning Commission Staff Report

RZN18-6308

# BURGIN

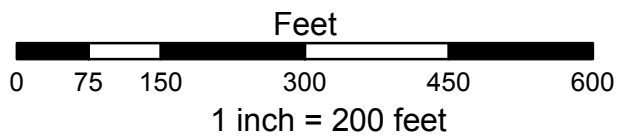
**EXHIBIT 'A'**  
**18-6308**

Close Up View



## Legend

- Hillside-Hilltop Overlay District
- Planning Area
- Fayetteville City Limits
- Shared Use Paved Trail
- Building Footprint



Zoning   Acres

N/A   0.4

**Total   0.4**

# **EXHIBIT 'B'**

**18-6308**

## **Property Legal Description for 1400/1424 N Gregg Street**

A part of Lot 1, Seamster Place Subdivision to the City of Fayetteville, Arkansas as shown on plat of record in plat book 1, at page 39, and in plat book 4, at page 151, plat records of Washington County, Arkansas, described as beginning at a point 292 feet West of the SE corner of said Lot; thence running North 130 feet; thence West to the West line of said Lot; thence South to the SW corner of said Lot; thence East to the point of beginning.



**TO:** Fayetteville Planning Commission

**THRU:** Andrew Garner, City Planning Director

**FROM:** Harry Davis, Planner

**MEETING DATE:** August 27, 2018 **UPDATED W/ PC RESULTS**

**SUBJECT:** **RZN 18-6308: Rezone (1400 & 1424 N. GREGG AVE./BIRGIN, 406):**  
Submitted by JAMES BIRGIN for property located at 1400 & 1424 N. GREGG AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 0.39 acres. The request is to rezone the property to RI-12, RESIDENTIAL INTERMEDIATE, 12 UNITS PER ACRE.

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**RECOMMENDATION:**

Staff recommends forwarding **RZN 18-6308** to City Council, based on the findings contained in this report.

**RECOMMENDED MOTION:**

**“I move to forward RZN 18-6308 to City Council with a recommendation for approval.”**

**BACKGROUND:**

The subject property is located on the northeast corner of Lawson Street and Gregg Avenue. The property totals approximately 0.39 acres, is zoned RSF-4, and is currently developed with two single-family homes. Surrounding land uses and zoning is depicted in *Table 1*.

**Table 1**  
**Surrounding Land Use and Zoning**

<b>Direction</b>	<b>Land Use</b>	<b>Zoning</b>
North	Undeveloped	RSF-4, Residential Single-family, 4 Units per Acre
South	Multi-family residential	RSF-4, Residential Single-family, 4 Units per Acre
East	Duplexes	RSF-4, Residential Single-family, 4 Units per Acre
West	Single-family residential	RSF-4, Residential Single-family, 4 Units per Acre

*Request:* The request is to rezone the parcel from RSF-4 to RI-12, Residential Intermediate, 12 Units per Acre. The applicant stated the rezoning will help to renovate and redevelop the property.

*Public Comment:* Staff has received public comment from neighbors opposed to this rezone. Discussion in opposition of the proposal is centered on concerns over multi-family uses, consistent land use across the neighborhood, property values, traffic, sub-standard infrastructure, rental properties, and safety. The VA Hill Neighborhood Association is also opposed to this proposal and has a petition of approximately 50 signatures. The petition and all emails, letters, and photos are attached to this report.

**INFRASTRUCTURE:**

**Streets:** The subject parcel has access to North Gregg Avenue and West Lawson Street. North Gregg Avenue is an improved four-lane Minor Arterial with sidewalk, curb and gutter, and storm drains. West Lawson Street is a substandard two-lane Local street with no sidewalk, no curb and gutter or storm drains. Any street improvements required in these areas would be determined at the time of development proposal.

**Water:** Public water is available to the site. There is an existing 8-inch main along North Gregg Avenue and a 2-inch main along West Lawson Street.

**Sewer:** Sanitary Sewer is available to the site. There is an existing 8-inch main along North Gregg Avenue and a 6-inch main along West Lawson Street.

**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 has no comments regarding the rezoning request. Fire apparatus access and fire protection water supplies will be reviewed for compliance with the Arkansas Fire Prevention Code at the time of development.

The site will be protected by Ladder 2, located at 708 N. Garland Avenue. The property is located approximately 1.0 miles from the fire station with an anticipated response time of approximately 3 minutes. The Fayetteville Fire Department has a 6-minute response time goal for all development. Since this site is within the Fire Department's response time goal, the Fire Department does not feel this development will negatively impact response time averages for this area.

**Police:** The Police Department expressed no concerns with this request.

**CITY PLAN 2030 FUTURE LAND USE PLAN:** *City Plan 2030 Future Land Use Plan designates the properties within the proposed rezone as **City Neighborhood Area**. City Neighborhood Areas are more densely developed than residential neighborhood areas and provide a varying mix of nonresidential and residential uses. This designation supports the widest spectrum of uses and encourages density in all housing types, from single family to multi-family. City Neighborhood Areas encourage complete, compact and connected neighborhoods and non-residential uses are intended to serve the residents of Fayetteville, rather than a regional population. While they encourage dense development patterns, they do recognize existing conventional strip commercial developments and their potential for future redevelopment in a more efficient urban layout.*

## 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 Plan Analysis:*** Staff believes that the proposal is compatible with the goals in City Plan 2030, adopted land use policies, and the future land use designation for this location. This property, designated as a City Neighborhood Area, envisions many different uses in different mixed-use configurations. RI-12 would allow a range of residential uses not allowed by-

right or found in the neighborhood. RI-12 promotes traditional neighborhood development by requiring new buildings be located closer to the street. For this location in particular, having a higher-density development on a corner location would contribute to a transect of density and intensity from Gregg Avenue to the inner neighborhood.

**Land Use Compatibility:** The proposed zoning is compatible with the surrounding properties. RI-12 is limited in size and density, which when coupled with the location on a street corner along Gregg Avenue, would make it compatible with nearby properties. Due to the size of the property and a mix of surrounding residential uses, staff does not anticipate a 12 unit per acre density to be detrimental to surrounding properties and uses.

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

**Finding:** Staff believes that there is sufficient justification for rezoning the property to RI-12. This justification includes diversifying the mix of uses along the perimeter of the neighborhood and on a Minor Arterial roadway through allowing varied lot sizes and residential types by-right.

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

**Finding:** Rezoning the property to RI-12 would increase traffic to this location above the potential of the current zoning district, but the impact is not expected to be significant given the surrounding road network, including Gregg Avenue, which is an underutilized Minor Arterial.

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

**Finding:** Rezoning the property to RI-12 would increase the load on public services above the potential of the current zoning district, but the impact is not expected to be significant given the evaluation by the various city divisions.

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:** Planning staff recommends forwarding RZN 18-6308 to City Council with a recommendation for approval.



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**PLANNING COMMISSION ACTION:** Required YES

Date: August 27, 2018

☐ Tabled

☒ Forwarded

☐ Denied

Motion: **Belden**

Second: **Scroggin**

Vote: **9-0-0**

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**BUDGET/STAFF IMPACT:**

None

**Attachments:**

- Unified Development Code:
  - §161.07 - District RSF-4, Residential Single-Family - Four (4) Units Per Acre
  - §161.12 - District RI-U, Residential Intermediate - Urban
- Public Comment
- 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)

**161.11 - District RI-12, Residential Intermediate, Twelve (12) Units Per Acre**

(A) *Purpose.* The RI-12 Residential District is designed to permit and encourage the development of detached and attached dwellings in suitable environments, to provide a development potential between low density and medium density with less impact than medium density development, to encourage the development of areas with existing public facilities and to encourage the development of a greater variety of housing values.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 41	Accessory dwellings
Unit 44	Cluster Housing Development

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 12a	Limited business

Unit 24	Home occupations
Unit 36	Wireless communications facilities

(C) *Density.*

Units per acre	12
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(D) *Bulk and Area Regulations.*

	Single-family	Two (2) family	Three (3) family
Lot width minimum	50 feet	50 feet	90 feet
Lot area minimum	5,000 square feet	7,260 square feet	10,890 square feet.

(E) *Setback Requirements.*

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

(F) *Building Height Regulations.*

Building height maximum	2 stories/3 stories*
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\* A building or a portion of a building that is located between 0 and 10 feet from the front property line or any master street plan right-of-way line shall have a maximum height of two (2) stories. Buildings or portions of the building set back greater than 10 feet from the master street plan right-of-way shall have a maximum height of three (3) stories.

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

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

(Code 1965, App. A., Art. 5(IIA); Ord. No. 3128, 10-1-85; Code 1991, §160.032; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 5028, 6-19-07; Ord. No. 5224, 3-3-09; Ord. No. 5262, 8-4-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 06-18-13; Ord. No. 5664, 2-18-14; Ord. No. [5800](#), § 1(Exh. A), 10-6-15; Ord. No. [5921](#), §1, 11-1-16; Ord. No. [5945](#), §§4, 8, 9, 1-17-17; Ord. No. [6015](#), §1(Exh. A), 11-21-17)

**From:** ericparkinson1@aol.com  
**To:** [Davis, Harry](#); [Garner, Andrew](#); [leslie@presbyteryofarkansas.org](mailto:leslie@presbyteryofarkansas.org); [Rob@sharparch.net](mailto:Rob@sharparch.net); [Jordan, Lioneld](#); [donmarr@ci.fayetteville.ar.us](mailto:donmarr@ci.fayetteville.ar.us); [citycouncil@matthewpetty.org](mailto:citycouncil@matthewpetty.org); [Gray, Adella](#); [Marsh, Sarah](#); [Kinion, Mark](#); [Tennant, Justin](#); [Bunch, Sarah](#); [La Tour, John](#); [longward4@gmail.com](mailto:longward4@gmail.com); [mhoffman@fayetteville-ar.gov](mailto:mhoffman@fayetteville-ar.gov); [Curth, Jonathan](#); [Harrison, Andy](#); [Richmond, Andrew](#); [Rowden, David](#); [Thompson, Quin](#); [Williams, Kit](#); [Pennington, Blake](#)  
**Subject:** V.A. HILL NEIGHBORHOOD - United in Opposition to Rezoning Request RZN 18-6308  
**Date:** Saturday, August 18, 2018 8:42:13 PM  
**Attachments:** [VA Hill Opposition Petition RZN 18-6308.pdf](#)  
[VA HILL IMAGES.pdf](#)

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Dear Esteemed Members of the Fayetteville Planning Commission, City Commission, City Attorney and City Staff:

On behalf of the V.A. Hill Neighborhood Association, attached hereto is a PETITION signed by residents in opposition to RZN 18-6308 (*1400 N. Gregg*), which is scheduled for review on Monday, August 27. This list contains signatures of opposition from forty-nine (49) residents... but we could easily get this total number to over 100 resident signatures if so required to demonstrate the STRONG OPPOSITION to this proposed re-zoning.

The V.A. Hill Neighborhood Association was formed in June of 2002 (*16-years ago*), with the mandate to protect our single-family neighborhood from re-zoning that would destroy the unique qualities of the area and negatively impact the quality of life and property values.

The V.A. Hill Neighborhood Association consists of 125 single family homes located North of North Street, South of Sycamore, East of Gregg and West of Woolsey. There is a MAP on one of the attached PDF files which shows this small pocket of homes located roughly "behind" the Veteran's Administration Hospital (*thus our neighborhood name*).

It is our belief that neighborhoods consisting of small "pockets" of single-family homes is essential to preserving the beauty and charm of Fayetteville. Our neighborhood residents are diverse in background, but united in our commitment to preserve and protect our quality of life. Notable properties in this neighborhood include an impressive 8-acre estate at 254 W. Holly and the historic and a stunning, Civil-War-Era home at 410 W. Holly. Due to the belief in the sanctity of the City's current zoning, NEW CONSTRUCTION investments have also been realized here, including an impressive new home at 1202 N. Shady Lane and a new home on North Gregg Street, less than 200 feet from the proposed "rezoning" request. These and other property owners have made significant investments in this neighborhood based on the zoning which has been in place for decades (*see attached photo sheet*).

An additional consideration for this particular rezoning request is the condition of LAWSON Street. This is a single lane street - often less than 10-feet in width - and already compromised with cracks and erosion from existing traffic. To add a multifamily development on Lawson Street (*at the corner of Gregg Street*), will require that the City locate and allocate hundreds-of-thousands-of-dollars to improve Lawson Street in order to accommodate the additional traffic that this rezoning request would generate.

We respect the City's goal of creating "infill" when and where appropriate. But with extensive apartments on the WEST side of Gregg and on the North Side of Sycamore (*both bordering the V.A. Hill Neighborhood zone*), we feel that infill and multi-family rezoning at 1400 N. Gregg is not a wise location... and is a move that will be strongly opposed by the V.A. Hill residents.

We appreciate your consideration of our request to oppose this rezoning request. We will try to keep the neighbor resident attendees for the Monday night hearing to around 30 persons with only 20 or less speaking in opposition.. but passions are heated against this move, so the turn-out of residents could be higher.

Very Truly Yours,

ERIC PARKINSON,  
Neighborhood Captain / V.A. Hill  
335 W. Holly St.  
Tel 818-481-5277



**V.A. HILL is an established neighborhood of HISTORIC and SINGLE-FAMILY HOMES in the Heart of Fayetteville. The protection of neighborhood pockets zoned solely for “houses” is what makes this city unique, strong and desirable. Please do not let the strategy and dogma of unrestricted “infill” destroy the character of what is unique and beautiful about Fayetteville. V.A. Hill should remain “SINGLE FAMILY HOUSING” as was represented to all the residents that chose to live here, to build impressive new houses and to restore historic structures.**



**Impressive 8-Acre Homestead at 254 W. Holly.**



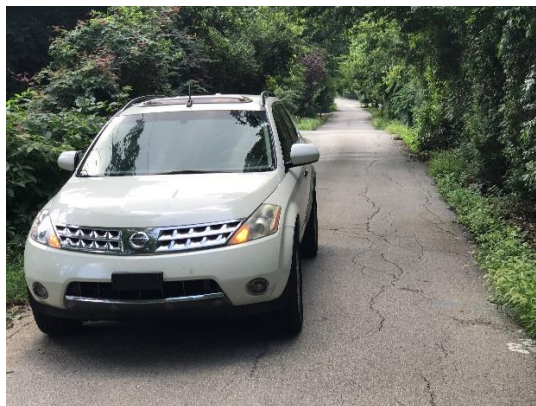
**Historic, Civil-War Era restored home at 410 W. Holly**



**Expensive new home at 1202 N. Shady Lane**



**Expensive new home under construction on Gregg St.**



**LAWSON STREET is a tiny road, often less than 10-feet wide, and is physical incapable of supporting ANY NEW Traffic from the proposed rezoning request at the corner of LAWSON and GREGG Sts. A re-zoning approval for this site would REQUIRE hundreds-of-thousands of dollars for LAWSON STREET improvements to handle the added strain.**



# V.A. HILL NEIGHBORHOOD MAP



## **PROPOSED RE-ZONING PROPERTY, 1400 & 1424 N. GREGG STS.**


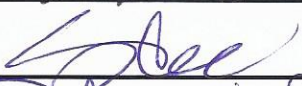
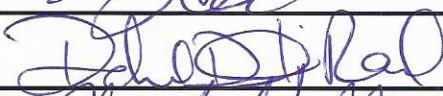

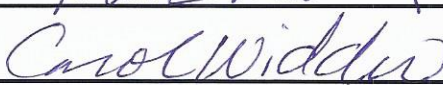




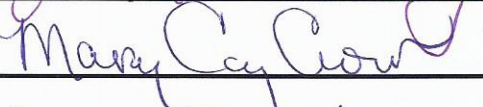
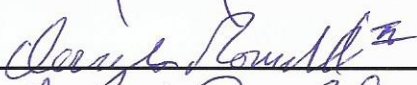
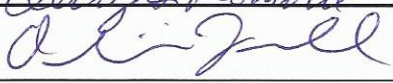




# V.A. HILL NEIGHBORHOOD ASSOCIATION IS UNITED IN OPPOSITION TO RE-ZONING

**RE: RE-ZONING HEARING RZN 18-6308 for 1400 and 1424 N. Gregg Sts.**

TO THE ESTEEMED MEMBERS OF The City of Fayetteville City Commission & Planning Commission: Please take note that the property owners and residents of the "V.A. HILL NEIGHBORHOOD ASSOCIATION" are opposed to actions to RE-ZONE any portion of our neighborhood into multi-family / multi-occupancy housing. **The undersigned below are OPPOSED to application RZN 18-6308**, to allow for multi-family occupancy at properties on the EAST side of GREGG Street, which is within our neighborhood association zone.



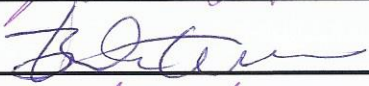

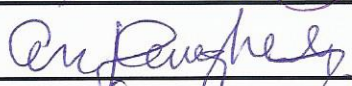
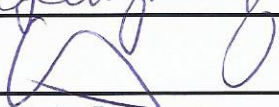
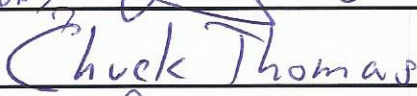
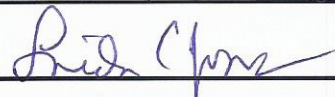
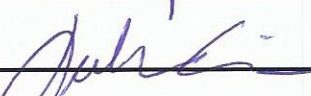

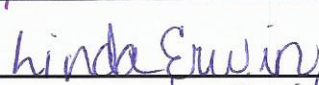
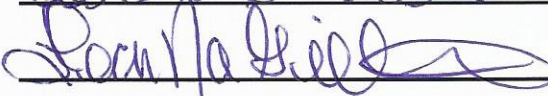
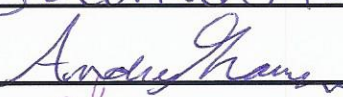
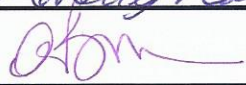
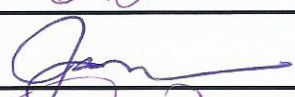
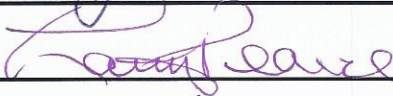


NAME	SIGNATURE	STREET ADDRESS
ERIC PARKINSON		335 W. Holly St.
SHANE REED		413 W. Holly St.
Rachel Danti		413 W. Holly St.
Mark Widder		501 W. Holly St.
Carol Widder		501 W. Holly St.
Allison Curtis		515 W. Holly St.
John Beltr		518 W. Holly St.
Sara Bishop		410 W. Holly St.
Vivian Schilling		335 W. Holly St.
Mary Kay Crow		330 W. Holly St.
Doug Ronald		1335 N VANDEVENTER
Olivia Terrell		1365 N Vandeventer

The V.A. Hill Neighborhood Association was formed in June of 2002, and is comprised of approximately 125 residential properties (plus the Washington Regional Support Home) in the area WEST of the Veteran's Administration Hospital along WOOLSEY St., and EAST of GREGG STREETS, bounded by NORTH street to the SOUTH and SYCAMORE to the NORTH. This neighborhood is zoned for single-family residential housing, and should be preserved as such to maintain a strong neighborhood diversity within the central zone of Fayetteville.



# V.A. HILL NEIGHBORHOOD ASSOCIATION IS UNITED IN OPPOSITION TO RE-ZONING

RE: RE-ZONING HEARING RZN 18-6308 for 1400 and 1424 N. Gregg Sts.  
(Petition – Continued)

NAME	SIGNATURE	STREET ADDRESS
Jean Marie Paul		407 Patricia Lane
Mark Paul		407 Patricia
BRANTON MOORE		400 W. PATRICIA
Sarah Moore		400 W Patricia
Erin Daugherty		416 W Patricia
Michael A. Reynolds		411 W. Patricia Ln
Chuck Thomas		409 W Patricia
Linda Jones		408 W. Patricia Lane
John Erwin		1141 N. Shady Ln
STEPHEN L. ERWIN		1121 N. SHADY LANE
Linda S Erwin		1121 N Shady Lane
Lecna Gilbert		1215 Shady Lane
Andrea Thomas		1223 N. Shady lane
Ashley B. Merritt		317 W Holly St.
Jamie Buckle		317 W Holly St.
Larry Pearce		1321 N Vandeventer Ave.
Pamela B. Pearce		1321 N. Vandeventer Ave.
Suellen Davis		328 W. North Street



# V.A. HILL NEIGHBORHOOD ASSOCIATION IS UNITED IN OPPOSITION TO RE-ZONING

RE: RE-ZONING HEARING RZN 18-6308 for 1400 and 1424 N. Gregg Sts.  
(Petition - Continued)

NAME	SIGNATURE	STREET ADDRESS
Allison Jones	Allison Jones	407 W. Lawson
Miranda Morton	Miranda Morton	407 W. Lawson
Brent Barker	Brent Barker	431 W. Lawson
Brad Stephens	Brad Stephens	488 W. Lawson
Whitney Nelson	Whitney Nelson	1362 N. Gregg
DANYS PARKER	Danys Parker	320 W. Lawson St
Kim Salazar Whitfield	Kim Salazar	254 W Holly
Kelly Kabel	Kelly Kabel	285 W Holly St.
Andrew Fournet	Andrew Fournet	<del>1214 N Shady Ln</del> 1207 Shady Lane
Margini Little		
Robert Whitfield	Robert Whitfield	319 Holly St.
Susan Dravilhet	Susan Dravilhet	1119 N Shady Ln
Jexus Britten	Jexus Britten	310 W. North
emily denny	emily denny	310 W. North
Robert Blume	Robert Blume	336 W North St
Judy Sparks	Judy Sparks	408 W North St
Kathleen Riggs	Kathleen Riggs	1127 N. Vandeventer Ave
Frances F. Gellert		1218 Vandeventer Ave.

## **Davis, Harry**

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**From:** Alex Clark <mrs.alexclark@gmail.com>  
**Sent:** Friday, August 17, 2018 3:43 PM  
**To:** Davis, Harry  
**Subject:** Opposition to RZN 18-6308

Dear Harry,

I am the property owner of 415 W Holly St and member of the VA Hill Neighborhood Association. I wanted to express my opposition to rezoning any part of our neighborhood into multi-family/multi-occupancy housing; specifically I am opposed to RZN 18-6308. Our neighborhood, where we are raising our children, is zoned for single-family housing and needs to remain so to maintain our strong neighborhood diversity. Thank you for listening to my family's concerns.

Josh and Alex Clark

## **Davis, Harry**

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**From:** Dany's Parker <ddparker@cox.net>  
**Sent:** Friday, August 17, 2018 11:34 PM  
**To:** Davis, Harry  
**Subject:** RZ 18-6308

Dear Harry,

I am writing this in regards to the proposed rezoning of a single family property at the end of my street. I reside 320 W. Lawson St., and have owned this home since 2002. The neighborhood is unique, quiet, and full of nature. My only complaint is the properties that are suppose to single family that have turned into multi family frat houses. I am concerned that another property such as this would decrease my property value that I have worked so hard to pay off. I am concerned that rezoning the property on Gregg at the corner of Lawson would create a chance for renters to trash the property, have parties, create a traffic problems such as blocking street access for residents and emergency vehicles. I also have taken notice of the multitude of rental and lease properties on Gregg St this week and they are plentiful, so another rental is not needed in this area. If the developers were to build a multi family dwelling at this location, the traffic going North on Gregg St at speeds of 35-45 mph coming over the hill would be hazard for residents turning into this proposed property . Please consider my opposition to RZN 18-6308.

Thank You, Dany's Parker

Sent from my iPhone

## **Davis, Harry**

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**From:** Linda Jones <ozarkhighlandergal@gmail.com>  
**Sent:** Monday, August 20, 2018 8:10 AM  
**To:** Davis, Harry  
**Subject:** Opposed to RZN 18-6308

Hi,

I am the property owner of 408 W Patricia Lane and member of the VA Hill Neighborhood Association. I wanted to express my opposition to rezoning any part of our neighborhood into multi-family/multi-occupancy housing. Currently, we are zoned for single-family housing and this needs to remain in place. Our neighborhood is quite diverse but also small. Our streets are narrow and already traffic in this part of town makes it quite difficult to get out of our neighborhood. The addition of several new cars will make it more dangerous for our children who live throughout this neighborhood, ride their bikes, walk to each others' homes to play. Further, rezoning will only add to the number of cars driving our streets.

I am opposed to RZN 18-6308. We have all gone to great expense to make this neighborhood strong, healthy and whole for the benefit of young families as well as young and old couples alike. But for those who live here, children visit grandparents during holiday seasons; neighborhood picnics have us walking to gather together for such events; many of us walk or bike within the neighborhood for exercise. It is a good, caring neighborhood. We long to maintain our safe, secure, and peaceful community. We ask that you take this into strong consideration and keep our neighborhood zoned for single-family housing.

Thank you for your compassion in this matter,

Linda C. Jones



**From:** [branton moore](#)  
**To:** [Curth, Jonathan](#)  
**Subject:** Opposing re zoning on 1400 and 1424 N Gregg Ave  
**Date:** Friday, August 17, 2018 10:11:24 AM

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"A craze for building reigns like an epidemic: the tide of houses rises as we look, overflowing the barriers, invading the suburbs, and making its first assaults on the outworks of the city's fortifications. Can we stop this mania for piling stone on stone?"  
-Edmond Texier

While the above quote was originally about something different it rings true to me about the move towards apartment complexes and multifamily housing in our area.

I am writing to make known my opposition to the re zoning of the property at 1400 and 1424 N Gregg Ave.

I live in the VA HILL neighborhood at 400 W Patricia Lane. With my young and growing family.

Community involvement is something I value. Increasing the number of these rental type units encourages a relatively transient population that is less likely to be engaged in the community.

From a safety perspective, I am adamantly opposed to increasing the numbers of people in an area that is already dangerous. The properties in question sit at the bottom of a steep hill and cars traveling north on Gregg regularly exceed the speed limit. Adding more traffic to the bottom of the hill would be a mistake. By rezoning this property and allowing for more units here this already dangerous section of Gregg will be even more hazardous to navigate.

The last move to rezone in this area (in June 2002) on Lawson, just up the hill from the proposed rezone, resulted in a dilapidated vacant house at 510 Lawson, and the house next door which is prone to parties and parking hazards. I cannot imagine a good result for two properties proposed for building on Gregg. A quick search of the rental properties on Gregg shows just about all of them have units to rent or lease, so they don't seem to be in high demand on Gregg St. Why do we need more?

LETS BRING MORE AFFORDABLE SINGLE FAMILY HOUSING FOR FAMILIES INTO OUR AREA.

Affordable single family housing is critical to a decent quality of life for many of us. Many working class young professionals and other families cannot afford decent housing to purchase or rent within the downtown and midtown areas of Fayetteville. In my opinion, this lack of affordable single family housing drives valuable citizens away from our area. My family and I are active in our community and plan to stay here for quite some time. Please don't give us a reason to look elsewhere.

Thank you for your attention to this matter.

Branton Moore

## **Davis, Harry**

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**From:** Sara Bishop <fivebishops@gmail.com>  
**Sent:** Friday, August 17, 2018 12:25 PM  
**To:** Davis, Harry  
**Subject:** Opposition to Rezone at 1400 and 1424 Greg Avenue

Dear Mr. Davis,

In addition to my signature on the VA Hill Neighborhood Association's petition, please consider this email a formal expression of my opposition to the rezoning request at Gregg/Lawson. I appreciate the opportunity for my comments to be included in the report.

Neighborhoods like ours have carried much of the burden of the University's rapid growth in the last several years, forcing us to constantly fight rezoning requests and police zoning infractions in order to maintain property values, quality of life, as well as affordability for young professionals and families in the downtown Fayetteville area.

While I understand the economic motivators that push landlords and developers (with planning council's blessings) to create denser housing complexes, I strongly believe that we need to be thoughtful and consistent in those efforts. This is why we as a neighborhood association have made it our consistent policy to keep all properties EAST of GREGG and SOUTH of SYCAMORE as single-family homes (including acceptable rentals under the City Code). Although not excited about the recent multiplex housing approved west of Gregg, it is **not** our policy to oppose any and all development within the vicinity. Rather, we choose to be balanced, consistent, and united in our efforts to hold dear to a specific and narrow area, so that we can more effectively preserve the elements that make VA Hill a desirable and affordable neighborhood for young professionals and families to live.

The zoning request of 1400-1424 Gregg is a threat to these efforts and we intend to challenge it with strong and persistent opposition if necessary.

Many thanks for your time,

Sara Bishop

410 West Holly Street

Fayetteville, AR 72703

(870) 654-6475

## **Davis, Harry**

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**From:** KATHLEEN RIGGS <kathleen.riggs@cox.net>  
**Sent:** Wednesday, August 22, 2018 9:01 PM  
**To:** Davis, Harry  
**Subject:** Gregg Street Rezoning

Why does it seem that city officials are more concerned about the people who might move to Fayetteville rather than those of us who are already here? Why does it seem that university students take precedence over residents? The rezoning of 1400 N.Gregg Street will take another big bite out of the neighborhood we love. And it is a neighborhood; it is not simply a collection of houses.

We know from experience that if this rezoning happens, the city will have created yet another home for university students, and not homes for families. We love our neighborhood and its rich history. VA Hill used to be home to several university professors who raised their families here. Now we're a mixture of university employees, teachers, retirees, young families, entrepreneurs and much more.

Please do not rezone 1400 N.Gregg Street to multi-family. Please think about those of us who have made Fayetteville our permanent home. Please respect our neighborhood and what it means to our city. We're younger than our Wilson Park neighbors, but we've been around a long time. We want to continue to be a place where others want to live; a place with beautiful, old trees, unique houses, and wonderful neighbors.

Thank you for your consideration!

Kathleen Riggs

1127 N. Vandeventer Ave.

To: Planning Commission Chairman  
Subject: Rezoning Property at 1400/1424 N Gregg Street  
From: James W. Burgin (Trustee, George Burgin Trust)

Dear Sir/Madam,

I feel this rezoning is compatible with the neighboring property and the proposed rezoning will not unreasonably adversely affect or conflict with surrounding land uses. I submit the following information in support of the statement.

1400/1424 N Gregg is surrounded by property that is currently multi-family zoned or should be because of existing structures. The property directly across Lawson, to the south, is duplex housing. The property east is multi-family with what appears to be duplexes. The property to the west across Gregg Street has been zoned both RMF-24 and RMF-40. The property to the north is vacant, and belongs to Brad and Megan Griggs. I've spoken with Brad Griggs, and he may be interested in rezoning his lots to better match the neighborhood also. Please note that the property to the south and east remain zoned RFS-4 despite appearing to be multi-family.

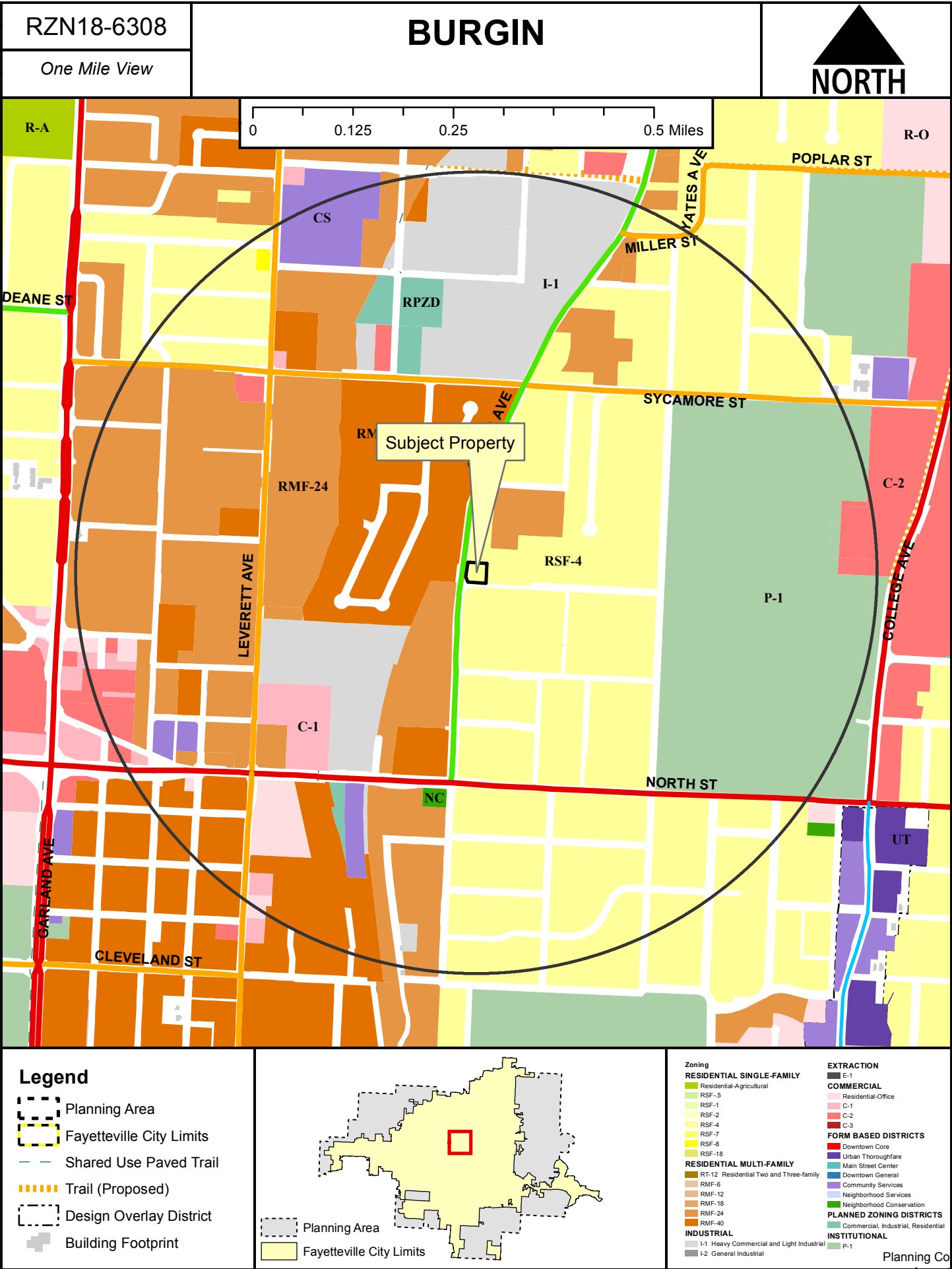
There is a curb cut on Gregg for the small home at 1424 Gregg. There is also access to the property from Lawson. Therefore, any additional curb cut on Gregg wouldn't be necessary.

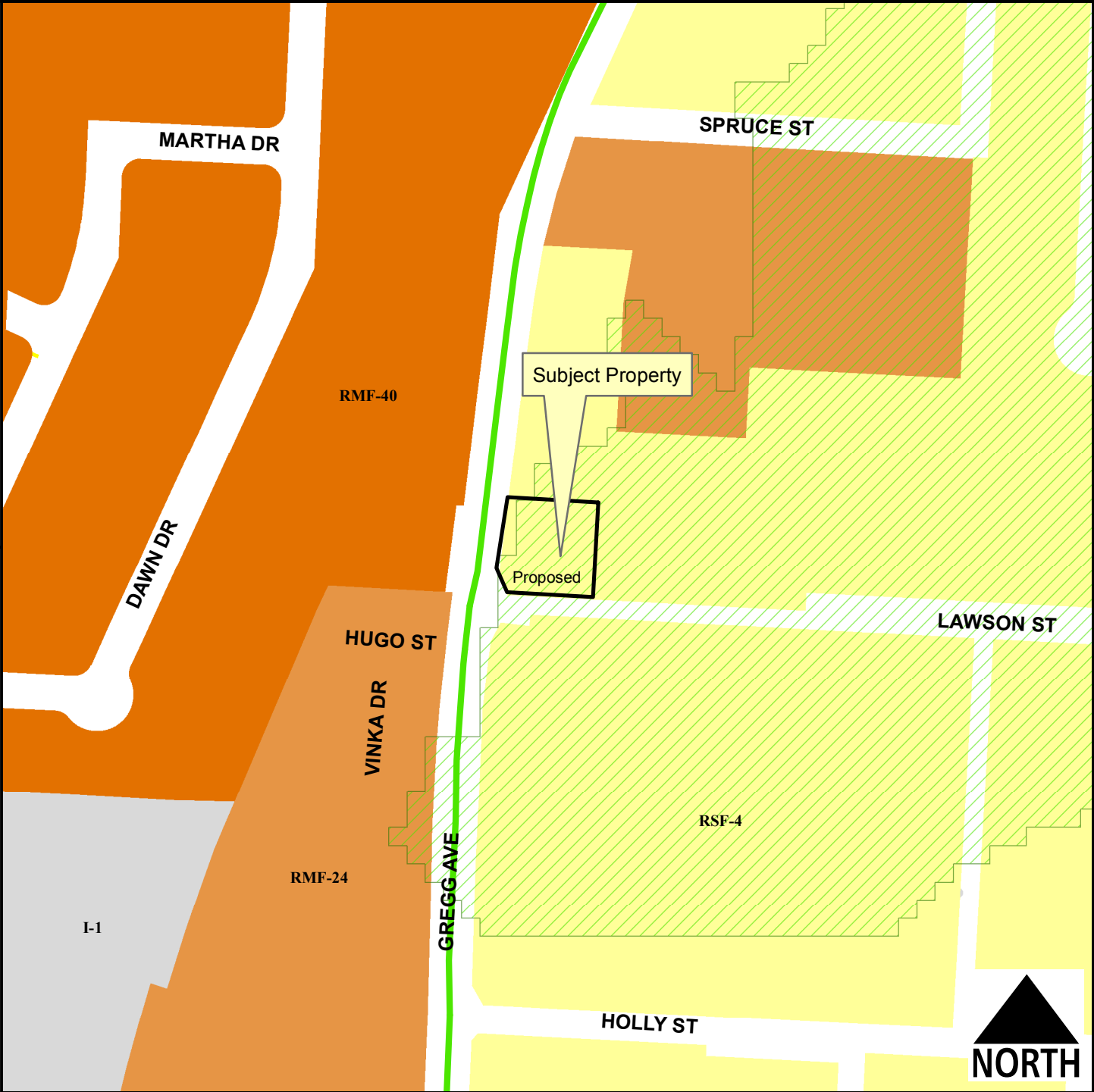
At least one of the structures (the main house) needs significant renovation or destruction. The zoning will provide the opportunity to update the property to higher quality and raise property values.

I appreciate your consideration.

Sincerely,

James W. Burgin





<p><b>Legend</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 20px; height: 10px; border: 1px dashed green; margin-right: 5px;"></span> Hillside-Hilltop Overlay District</li> <li><span style="display: inline-block; width: 20px; height: 10px; border: 2px dashed black; margin-right: 5px;"></span> Planning Area</li> <li><span style="display: inline-block; width: 20px; height: 10px; border: 2px solid yellow; margin-right: 5px;"></span> Fayetteville City Limits</li> <li><span style="display: inline-block; width: 20px; border-bottom: 2px dashed yellow; margin-right: 5px;"></span> Shared Use Paved Trail</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: grey; margin-right: 5px;"></span> Building Footprint</li> </ul>	<p>Feet</p> <p>0    75    150    300    450    600</p> <p>1 inch = 200 feet</p>	<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; border-bottom: 1px solid black;">Zoning</th> <th style="text-align: left; border-bottom: 1px solid black;">Acres</th> </tr> </thead> <tbody> <tr> <td>N/A</td> <td>0.4</td> </tr> <tr> <td><b>Total</b></td> <td><b>0.4</b></td> </tr> </tbody> </table>	Zoning	Acres	N/A	0.4	<b>Total</b>	<b>0.4</b>
Zoning	Acres							
N/A	0.4							
<b>Total</b>	<b>0.4</b>							






RZN18-6308

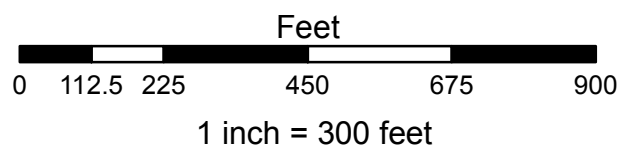
Current Land Use

# BURGIN





## Streets Existing MSP Class

-  MINOR ARTERIAL
-  Planning Area
-  Fayetteville City Limits



## FEMA Flood Hazard Data

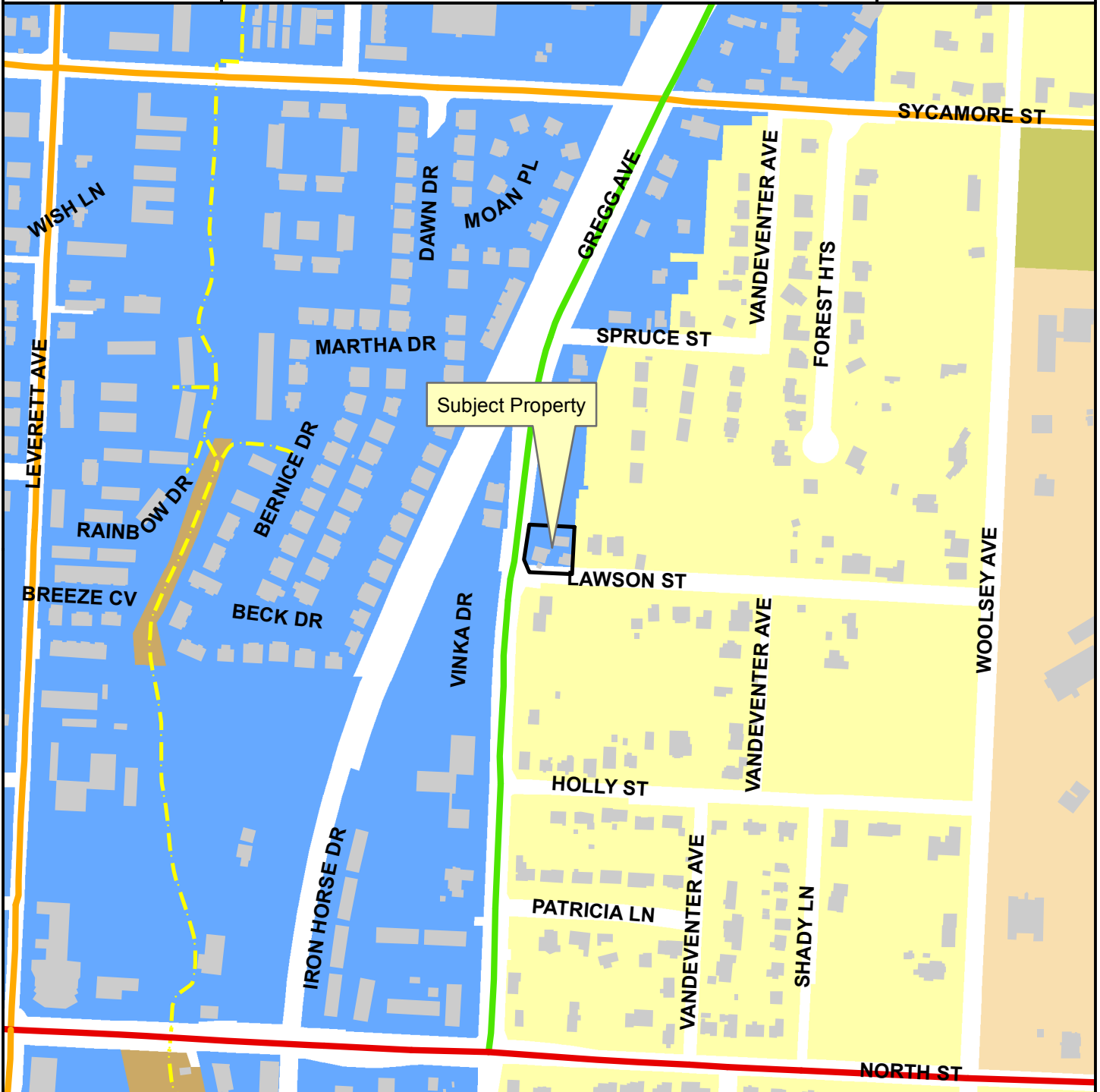
-  100-Year Floodplain
-  Floodway



RZN18-6308

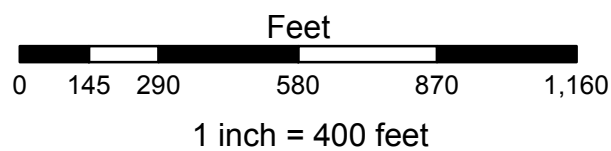
Future Land Use

# BURGIN



## Legend

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



## FUTURE LAND USE 2030

- Residential Neighborhood Area
- City Neighborhood Area
- Civic and Private Open Space/Parks
- Civic Institutional
- Non-Municipal Government