

City of Fayetteville Staff Review Form

2019-0375

Legistar File ID

7/2/2019

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

Garner Stoll

6/14/2019

CITY PLANNING (630)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

RZN 19-6678: Rezone (2280 W. STONE ST./TAMIJANI, 520): Submitted by MANDY WALLACE for property located at 2280 W. STONE ST. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contain approximately 0.69 acres. The request is to rezone the property to RMF-24, RESIDENTIAL MULTI FAMILY, 24 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 \$ -

V20180321

Purchase Order Number:

Previous Ordinance or Resolution #

Change Order Number:

Approval Date:

Original Contract Number:

Comments:



## CITY COUNCIL AGENDA MEMO

### MEETING OF JULY 2, 2019

**TO:** Mayor, Fayetteville City Council

**THRU:** Don Marr, Chief of Staff  
Garner Stoll, Development Services Director  
Andrew Garner, Planning Director

**FROM:** Harry Davis, Current Planner

**DATE:** June 14, 2019

**SUBJECT:** **RZN 19-6678: Rezone (2280 W. STONE ST./TAMIJANI, 520):** Submitted by MANDY WALLACE for property located at 2280 W. STONE ST. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contain approximately 0.69 acres. The request is to rezone the property to RMF-24, RESIDENTIAL MULTI FAMILY, 24 UNITS PER ACRE

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### RECOMMENDATION:

The Planning Commission and staff recommend approval of an ordinance to rezone the subject property to RMF-24, Residential Multi-family, 24 units per acre, as shown in the attached Exhibits 'A' and 'B'.

### BACKGROUND:

The subject property is located on the north side of Stone Street between Sang Avenue and Root Avenue. The property is approximately 0.70 acres, currently developed with a single-family home, and zoned as RSF-4, Residential Single-family, 4 Units per Acre.

*Request:* The request is to rezone the subject property from RSF-4, Residential Single-family, 4 Units per Acre, to RMF-24, Residential Multi-family, 24 Units per Acre. The applicant has not stated specific development plans for the property.

*Public Comment:* Staff has received no public comment.

*Land Use Compatibility:* Staff finds that the proposed rezoning is generally compatible with adjacent land uses. Much of the existing development adjacent to the subject property are apartments, and a public junior high school. The proposed zoning allows everything from single-family to multi-family development, which would be compatible with the neighborhood.

*Land Use Plan Analysis:* Staff finds the proposal to be consistent with the Fayetteville's comprehensive plan and its Future Land Use Map designation. City Plan 2030's prioritization of infill development is intended to occur in appropriate locations. Appropriate locations area areas where increasing the density and intensity of land use does not compromise community character

or precede adequate infrastructure. Staff believes that this proposal is an appropriate area for infill development. The proposed RMF-24 zoning district allows a wide range of uses and density that fits in well with land uses on properties in the vicinity.

**DISCUSSION:**

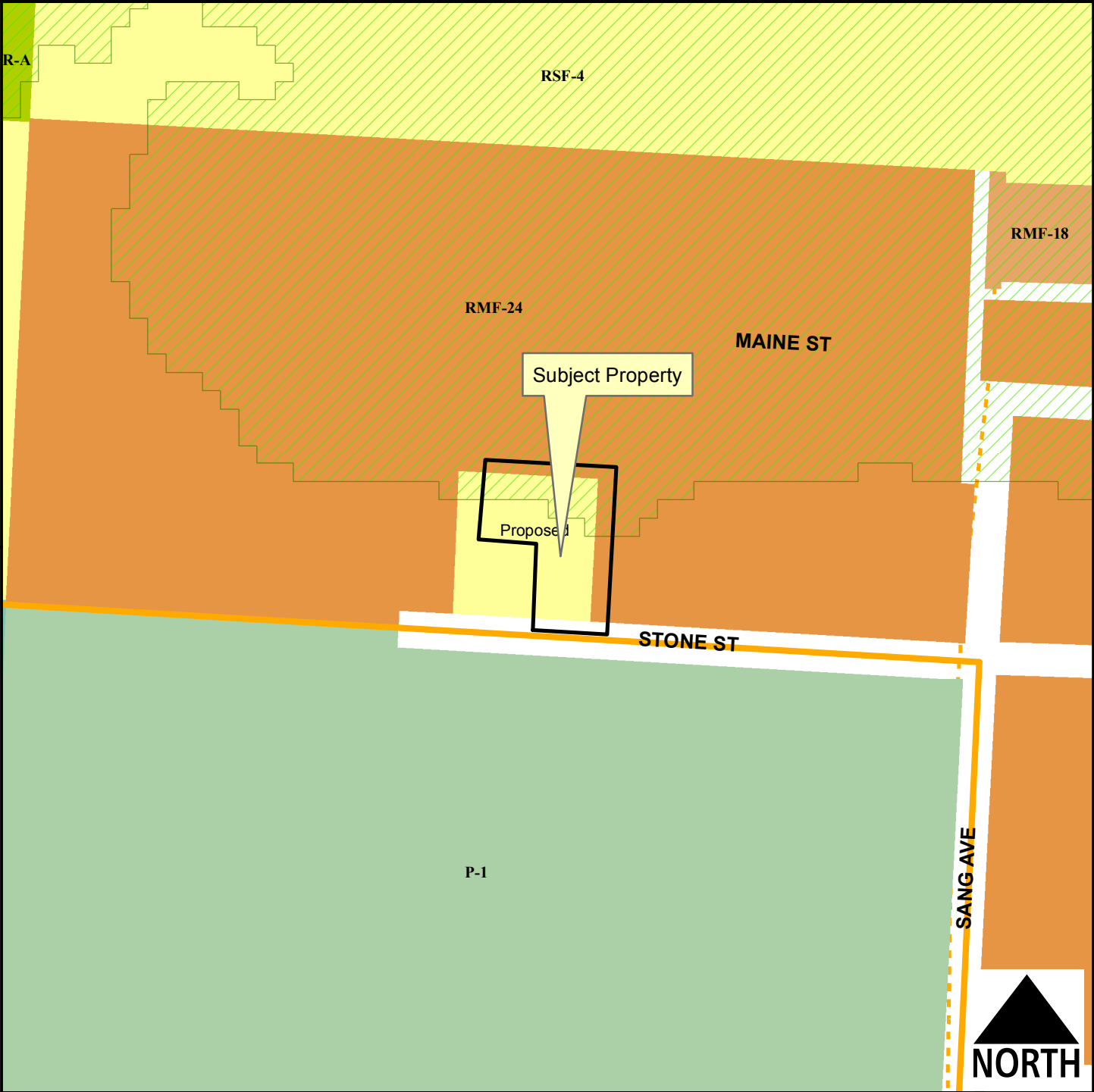
On June 10, 2019, the Planning Commission heard the proposal for the rezoning and forwarded the proposal to City Council with a recommendation for approval by a vote of 9-0-0. There was no public comment.

**BUDGET/STAFF IMPACT:**

N/A

**Attachments:**

- Exhibit A
- Exhibit B
- Planning Commission Staff Report



<b>Legend</b> <div>Hillside-Hilltop Overlay District</div> <div>Planning Area</div> <div>Fayetteville City Limits</div> <div>Trail (Proposed)</div> <div>Design Overlay District</div> <div>Building Footprint</div>	<div>0 75 150 300 450 600</div> <div>Feet</div> <div>1 inch = 200 feet</div>	<b>Zoning</b> <b>Acres</b> N/A   0.7
		<b>Total</b> <b>0.7</b>

**19-6678**  
**EXHIBIT 'B'**

A PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 17 IN TOWNSHIP 16 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS S89°52'E 689.71 FEET FROM THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT; AND RUNNING THENCE N00°42'W ALONG AN EXISTING FENCE AND ALONG THE EAST LINE OF A PROPERTY DESCRIBED IN WARRANTY DEED FILED JUNE 27, 2012 ON LAND DOCUMENT NO. 2012-00018598, 118.6 FEET; THENCE N88°33'W ALONG AN EXISTING FENCE AND ALONG THE NORTH LINE OF A PROPERTY DESCRIBED IN WARRANTY DEED FILED JUNE 27, 2012 ON LAND DOCUMENT NO. 2012-00018598, 79.76 FEET; THENCE N01°49'E ALONG AN EAST LINE OF A PROPERTY DESCRIBED IN WARRANTY DEED FILED OCTOBER 30, 1997 AS INSTRUMENT NO. 97075051, 109.57 FEET; THENCE EAST ALONG A SOUTH LINE OF A PROPERTY DESCRIBED IN WARRANTY DEED FILED OCTOBER 30, 1997 AS INSTRUMENT NO. 97075051, 179.99 FEET; THENCE SOUTH ALONG A WEST LINE OF A PROPERTY DESCRIBED IN WARRANTY DEED FILED OCTOBER 30, 1997 AS INSTRUMENT NO. 97075051, 230.37 FEET; THENCE N89°52'W 102.29 FEET TO THE POINT OF BEGINNING CONTAINING 0.75 ACRES, MORE OR LESS.



**TO:** Fayetteville Planning Commission

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

**FROM:** Harry Davis, Planner

**MEETING DATE:** June 10, 2019 **UPDATED W PC RESULTS**

**SUBJECT:** **RZN 19-6678: Rezone (2280 W. STONE ST./TAMIJANI, 520):** Submitted by MANDY WALLACE for property located at 2280 W. STONE ST. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contain approximately 0.69 acres. The request is to rezone the property to RMF-24, RESIDENTIAL MULTI FAMILY, 24 UNITS PER ACRE.

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**RECOMMENDATION:**

Staff recommends forwarding **RZN 19-6678** to City Council with a recommendation of approval, based on the findings contained in this report.

**RECOMMENDED MOTION:**

"I move to forward RZN 19-6678 to City Council with a recommendation of approval."

**BACKGROUND:**

The subject property is located on the north side of Stone Street between Sang Avenue and Root Avenue. The property is approximately 0.70 acres, currently developed with a single-family home, and zoned as RSF-4, Residential Single-family, 4 Units per Acre. Surrounding land use 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	Meadow Brook Apartments	RMF-24, Residential Multi-family, 24 Units per Acre
South	Ramay Junior High School	P-1, Institutional
West	Meadow Brook Apartments; Single-family home	RMF-24, Residential Multi-family, 24 Units per Acre; RSF-4, Residential Single-family, 4 Units per Acre
East	Meadow Brook Apartments	RMF-24, Residential Multi-family, 24 Units per Acre

*Request:* The request is to rezone the subject property from RSF-4, Residential Single-family, 4 Units per Acre, to RMF-24, Residential Multi-family, 24 Units per Acre. The applicant has not stated specific development plans for the property.

*Public Comment:* Staff has received no public comment regarding this item.

## INFRASTRUCTURE:

- Streets:** The parcel has access to W. Stone St, an improved asphalt, Collector with curb, gutter, and sidewalk along its frontage. Any street improvements required in these areas would be determined at the time of development proposal.
- Water:** Public water is available to the subject parcel. There is an existing 2.25-inch cast iron pipe main that runs along Stone Street.
- Sewer:** Sanitary Sewer is available to the subject parcel. There is an existing 6-inch pipe main that runs along Stone Street.
- Drainage:** Any additional improvements or requirements for drainage will be determined at time of development. A portion of the subject property is identified as Hillside-Hilltop Overlay District. There are no protected streams or hydric soils on the property. Additionally, floodplain does not exist on the subject property.
- Fire:** Although the Fire Department did not state any concerns with this request, they have noted that the site will be protected by Station 6, located at 900 S. Hollywood Avenue. The property is located approximately 0.3 miles from the fire station with an anticipated drive time of approximately 3 minutes using existing streets. The anticipated response time would be approximately 5.2 minutes. Fire Department response time is calculated based on the drive time plus 1 minute for dispatch and 1.2 minutes for turn-out time. Within the City Limits, the Fayetteville Fire Department has a response time goal of 6 minutes for an engine and 8 minutes for a ladder truck.
- 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 property within the proposed rezone as **City Neighborhood Area** with a small portion of **Residential Neighborhood Area**. City Plan 2030 generally defines these designations as follows:

- **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 multifamily. Non-residential uses range in size, variety and intensity from grocery stores and offices to churches, and are typically located at corners and along connecting corridors. The street network should have a high number of intersections creating a system of small blocks with a high level of connectivity between neighborhoods. Setbacks and landscaping are urban in form with street trees typically being located within the sidewalk zone.
- **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 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 Plan Analysis:*** Staff finds the proposal to be consistent with the Fayetteville's comprehensive plan and its Future Land Use Map designation. City Plan 2030's prioritization of infill development is intended to occur in appropriate locations. Appropriate locations are areas where increasing the density and intensity of land use does not compromise community character or precede adequate infrastructure. Staff believes that this proposal is an appropriate area for infill development. The proposed RMF-24 zoning district allows a wide range of uses and density that fits in well with land uses on properties in the vicinity.

***Land Use Compatibility:*** Staff finds that the proposed rezoning is generally compatible with adjacent land uses. Much of the existing development adjacent to the subject property are apartments, and a public junior high school. The proposed zoning allows everything from single-family to multi-family development, which would be compatible with the neighborhood.

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 RMF-24, as it will be more compatible with surrounding properties over the existing zoning.**

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

**Finding:** **The rezoning from RSF-4 to RMF-24 would result in greater traffic volumes, but staff believes the existing road network in the area will be able to handle additional traffic.**

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:** **Staff does not believe rezoning the subject property from RSF-4 to RMF-24 will undesirably increase the load on public services.**

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 19-6552 to City Council with a recommendation of approval.

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<b>PLANNING COMMISSION ACTION:</b> Required <u>YES</u>			
Date: <u>June 10, 2019</u>	<input type="checkbox"/> Tabled	<input checked="" type="checkbox"/> Forwarded	<input type="checkbox"/> Denied
Motion: <u>Winston</u>	Fwd to CC, recommending approval		
Second: <u>Johnson</u>			
Vote: <u>9-0-0</u>	Motion passed		

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**BUDGET/STAFF IMPACT:**

None

**Attachments:**

- Unified Development Code:
  - §161.07 – District RSF-4, Residential Single-family, 4 Units per Acre
  - § 161.16 - District RMF-24, Residential Multi-Family - Twenty-Four (24) Units Per Acre
- Fire Department memo
- 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)

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

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

(B) *Uses.*

(1) Permitted Uses.

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

(2) *Conditional Uses.*

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

Unit 25	Professional offices
Unit 36	Wireless communications facilities

(C) *Density.*

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

(1) *Lot Width Minimum.*

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

(2) *Lot Area Minimum.*

Manufactured home park	3 acres
Lot within a mobile home	4,200 square

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

(3) *Land Area Per Dwelling Unit .*

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

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

property line.				
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(F) *Building Height Regulations.*

Building Height Maximum	2 stories/3 stories/5 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, between 10—20 feet from the master street plan right-of-way a maximum height of three (3) stories and buildings or portions of the building set back greater than 20 feet from the master street plan right-of-way shall have a maximum height of 5 stories.

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 side boundary line of an adjacent single family 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.* The area occupied by all buildings shall not exceed 50% of the total lot area.

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

(Code 1965, App. A., Art. 5(III); Ord. No. 2320, 4-6-77; Ord. No. 2700, 2-2-81; Code 1991, §160.033; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 5028, 6-19-07; Ord. No. 5079, 11-20-07; Ord. No. 5224, 3-3-09; Ord. No. 5262, 8-4-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5495, 4-17-12; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. [5800](#), § 1(Exh. A), 10-6-15; Ord. No. [5921](#), §1, 11-1-16; Ord. No. [5945](#), §§ 5, 8, 9, 1-17-17; Ord. No. [6015](#), §1(Exh. A), 11-21-17)

**TO:** Harry Davis, Planner

**CC:** Battalion Chief Brian Sloat, Fire Marshal

**FROM:** Rodney Colson, Fire Protection Engineer

**DATE:** May 6, 2019

**SUBJECT:** RZN 19-6678: Rezone (2280 W. Stone St./Tamijani, 520)

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Fire apparatus access and fire protection water supplies will be reviewed for compliance with the Arkansas Fire Prevention Code at the time of development.

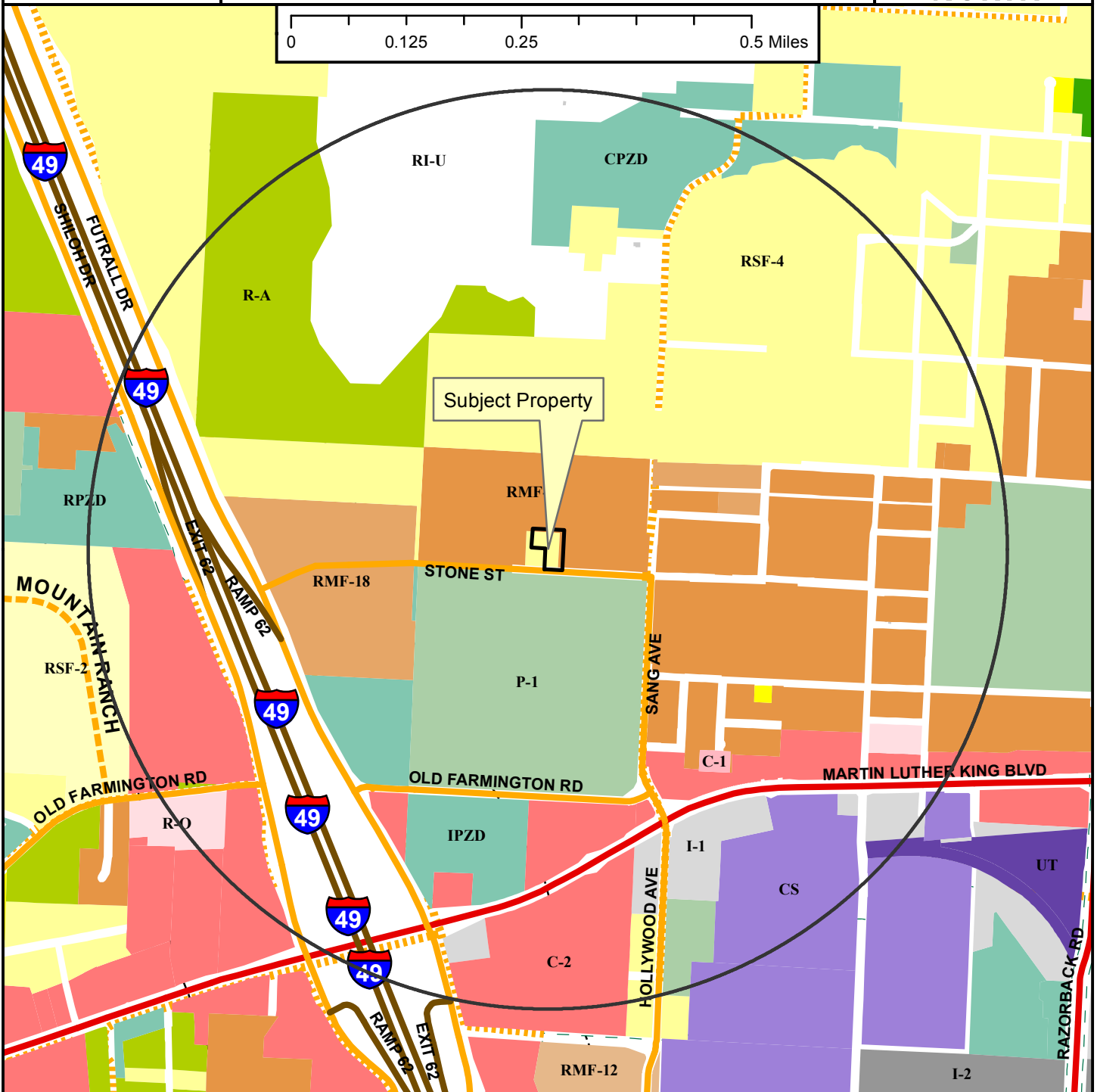
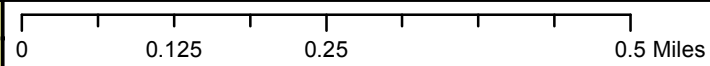
The site will be protected by Station 6, located at 900 S. Hollywood Avenue. The property is located approximately 0.3 miles from the fire station with an anticipated drive time of approximately 3 minutes using existing streets. The anticipated response time would be approximately 5.2 minutes. Fire Department response time is calculated based on the drive time plus 1 minute for dispatch and 1.2 minutes for turn-out time. Within the City Limits, the Fayetteville Fire Department has a response time goal of 6 minutes for an engine and 8 minutes for a ladder truck.

This statement is in regards to the property located at 2280 W Stone St, Fayetteville, AR 72701 (the property) and to explain that the proposed rezoning of this property will be compatible and will not have an adverse effect with neighboring properties. The aforementioned property is currently zoned RSF-4 and the proposal is to rezone the property to RMF-24. If you look at Exhibit A attached, you can see that the parcel is a small section surrounded by neighboring properties zoned RMF-24 (with the exception of the P-1 zoning directly to the south for the Junior High). Furthermore, in Exhibit B attached, within approximately 0.20 miles there is a large apartment complex (Southern View I/II Apartments) and directly surrounding the property you will find the Markam Hill Apartment Community. Directly to the south of the property is Ramay Junior High School. With surrounding properties already being zoned RMF-24 and the existence of functional multi-family buildings within those properties, it can be reasonably assumed that the property will be compatible with its neighbors. Furthermore, the rezoning of this property could aid in continuing to build the multi-family community that has already been established in the immediate area by encouraging new buildings and additional growth.

RZN19-6678

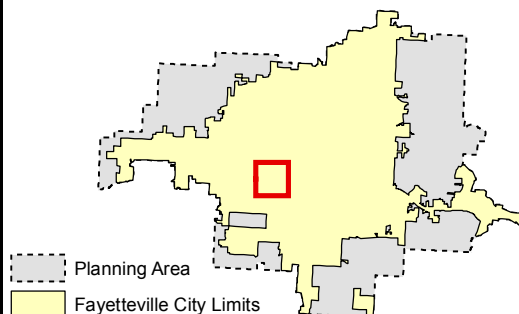
One Mile View

# TAMIJANI



## Legend

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

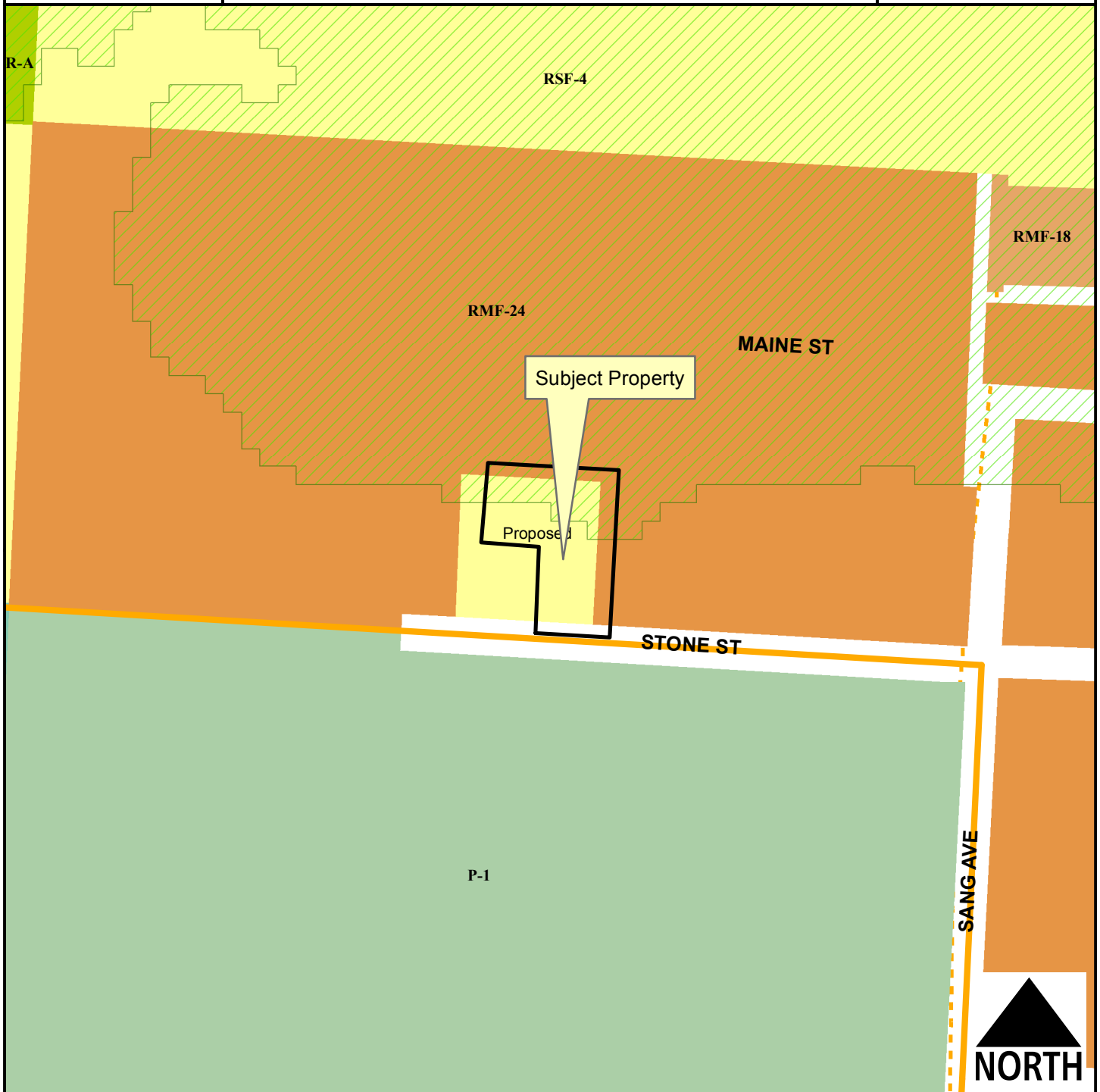


- Zoning**
- RESIDENTIAL SINGLE-FAMILY**
- RSF-1
  - RSF-2
  - RSF-4
  - RSF-8
  - RSF-18
- RESIDENTIAL MULTI-FAMILY**
- RMF-6
  - RMF-12
  - RMF-18
  - RMF-24
  - RMF-40
- INDUSTRIAL**
- I-1 Heavy Commercial and Light Industrial
  - I-2 General Industrial
- EXTRACTION**
- E-1
- COMMERCIAL**
- Residential-Office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

RZN19-6678

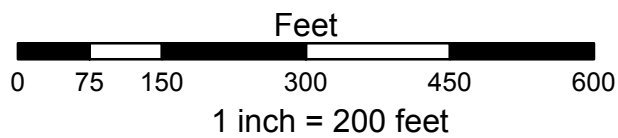
# TAMIJANI

Close Up View



## Legend

- Hillside-Hilltop Overlay District
- Planning Area
- Fayetteville City Limits
- Trail (Proposed)
- Design Overlay District
- Building Footprint



## Zoning Acres

N/A 0.7

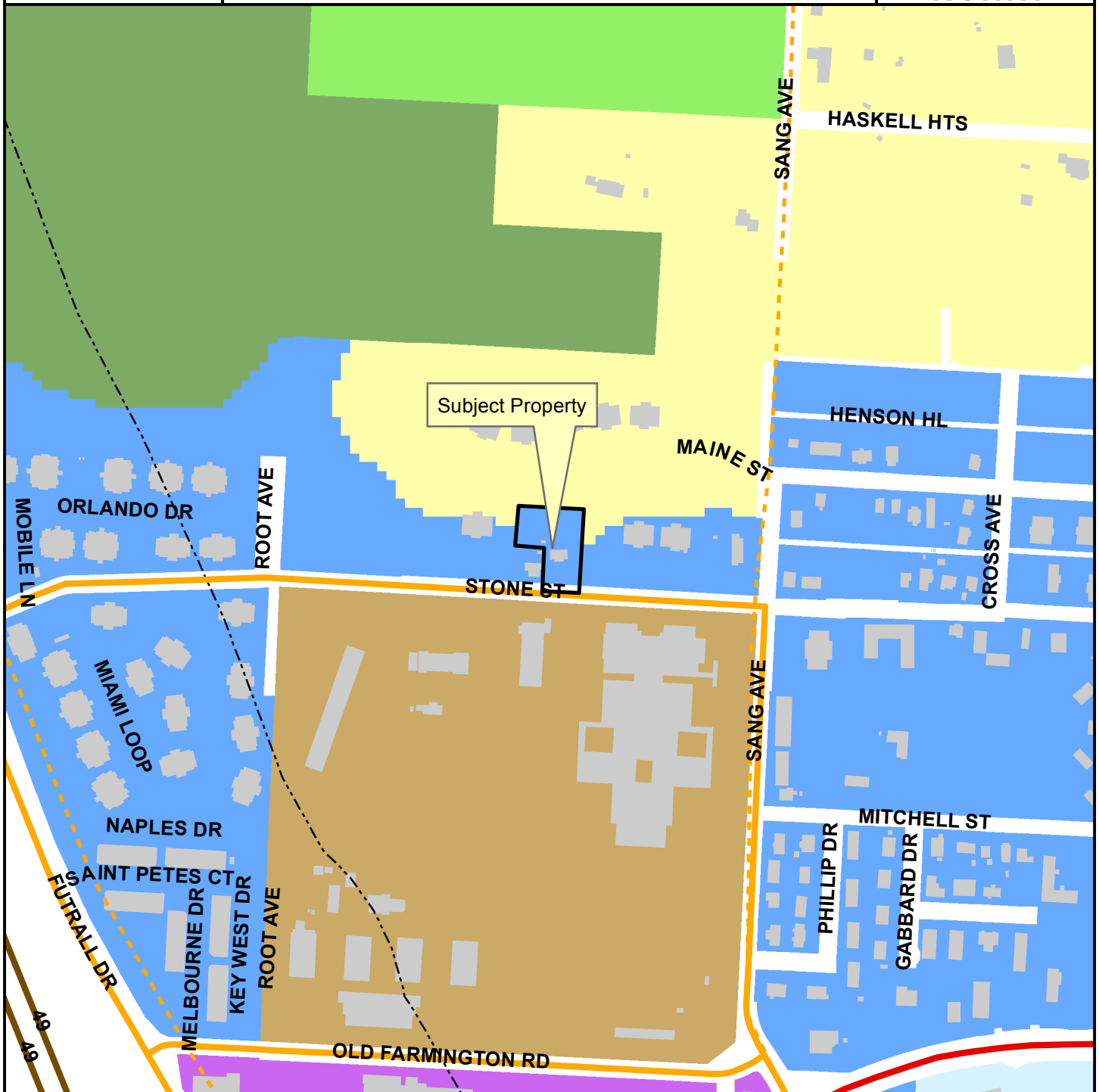
Total 0.7



RZN19-6678

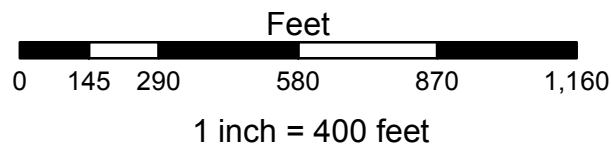
Future Land Use

# TAMIJANI



## Legend

- Planning Area
- Fayetteville City Limits
- Trail (Proposed)
- Design Overlay District
- Building Footprint



## FUTURE LAND USE 2030

- Natural Area
- Rural Area
- Residential Neighborhood Area
- City Neighborhood Area
- Urban Center Area
- Industrial
- Civic Institutional