

City of Fayetteville Staff Review Form

2019-0420

Legistar File ID

7/16/2019

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

Garner Stoll

6/28/2019

CITY PLANNING (630)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

RZN 19-6703: Rezone (535 S. BROYLES AVE./WOOLSEY FARM, 515): Submitted by THE CITY OF FAYETTEVILLE for property located at 535 S. BROYLES AVE. The property is zoned R-A, RESIDENTIAL AGRICULTURAL and contains approximately 30.17 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

\$ -

V20180321

Purchase Order Number:

Previous Ordinance or Resolution #

Change Order Number:

Approval Date:

Original Contract Number:

Comments:



MEETING OF JULY 16, 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 28, 2019

SUBJECT: **RZN 19-6703: Rezone (535 S. BROYLES AVE./WOOLSEY FARM, 515):**
Submitted by THE CITY OF FAYETTEVILLE for property located at 535 S. BROYLES AVE. The property is zoned R-A, RESIDENTIAL AGRICULTURAL and contains approximately 30.17 acres. The request is to rezone the property to P-1, INSTITUTIONAL.

RECOMMENDATION:

The Planning Commission and staff recommend approval of an ordinance to rezone the subject property to P-1, Institutional, as shown in the attached Exhibits 'A' and 'B'.

BACKGROUND:

The subject property is located on the west side of Broyles Avenue north of the intersection between Broyles Avenue and 54th Avenue. The property is approximately 30.17 acres, currently developed with a historic farmstead dating back to the 1840's called "Woolsey Farm", and zoned as R-A, Residential Agricultural.

Request: The request is to rezone the subject property from R-A, Residential Agricultural, to P-1, Institutional. The City has asked the applicant to represent them for this rezoning item. The City's goal for the property is to turn the old farmhouse and accessory structures on site into a teaching farm and park.

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 undeveloped and large lot residential properties. A new park and teaching farm are compatible uses with adjacent uses.

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 civic or institutional uses on the subject property lines up with P-1, which is a zoning district focused institutional development, which may in this case include a museum and teaching farm with associated parkland.

DISCUSSION:

On June 24, 2019, the Planning Commission forwarded the proposal to City Council with a recommendation for approval by a vote of 8-0-0. No public comment was made.

BUDGET/STAFF IMPACT:

N/A

Attachments:

- Exhibit A
- Exhibit B
- Planning Commission Staff Report

RZN19-6703

WOOLSEY FARM

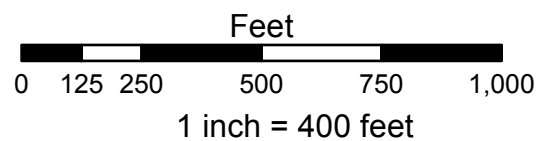
19-6703
EXHIBIT 'A'

Close Up View



Legend

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



Zoning Acres

P-1 30.2

Total 30.2

19-6703
EXHIBIT 'B'

TRACT D DESCRIPTION

Woolsey

A tract of land being a part of the Southeast Quarter of the Southeast Quarter (SE 1/4 of SE 1/4), and a part of the Southwest Quarter of the Southeast Quarter (SW1/4 of SE 1/4) of Section Fourteen (14), Township Sixteen (16) North, Range Thirty-one (31) West, Washington County, Arkansas described as follows: begin at the steel pin found at the southwest corner of the Southeast Quarter of Section 14, Township 16 North, Range 31 West, Washington County, Arkansas as shown on Tyrone Vinson's plat found at Washington County Land Title Record 2000 75843-51; thence North 2° 35' 16" East along the west line of said Southeast Quarter of said Section 14 a distance of 976.92 feet to a found steel pin; thence leaving said west line of said Southeast Quarter of said Section 14, South 85° 53' 54" East a distance of 1343.09 feet to a found steel pin; thence South 39° 13' 55" East a distance of 300.22 feet to a found steel pin on the arc of a curve to the left, said curve having a radius of 739 feet and a central angle of 48° 10' 43" and a chord 603.28 feet in length which bears South 26° 40' 13" West, thence southerly along the arc of said curve a distance of 621.43 to a found steel pin; thence South 2° 34' 49" West a distance of 159.56 feet to a found steel pin on the south line of said Southeast Quarter of said Section 14; thence North 87° 44' 17" West along said south line of said Southeast Quarter of said Section 14, a distance of 1296.67 feet to the Point of beginning containing 1,314,098 square feet or 30.168 acres, more or less.



TO: Fayetteville Planning Commission

THRU: Andrew Garner, City Planning Director

FROM: Harry Davis, Planner

MEETING DATE: June 24, 2019 **UPDATED W/ PC RESULTS**

SUBJECT: **RZN 19-6703: Rezone (535 S. BROYLES AVE./WOOLSEY FARM, 515):**
Submitted by CITY OF FAYETTEVILLE for property located at 535 S. BROYLES AVE. The property is zoned R-A, RESIDENTIAL AGRICULTURAL and contains approximately 30.17 acres. The request is to rezone the property to P-1, INSTITUTIONAL.

RECOMMENDATION:

Staff recommends forwarding **RZN 19-6703** to City Council with a recommendation of approval, based on the findings contained in this report.

RECOMMENDED MOTION:

"I move to forward RZN 19-6703 to City Council with a recommendation of approval."

BACKGROUND:

The subject property is located on the west side of Broyles Avenue north of the intersection between Broyles Avenue and 54th Avenue. The property is approximately 30.17 acres, currently developed with a historic farmstead dating back to the 1840's called "Woolsey Farm", and zoned as R-A, Residential Agricultural. Surrounding land use and zoning is depicted in Table 1.

Table 1:
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Water Treatment Plant	R-A, Residential Agricultural
South	Undeveloped	Farmington Zoning
West	Undeveloped/Large Lot Residential	Farmington Zoning
East	Undeveloped	R-A, Residential Agricultural

Request: The request is to rezone the subject property from R-A, Residential Agricultural, to P-1, Institutional. The City has asked the applicant to represent them for this rezoning item. The City's goal for the property is to turn the old farmhouse and accessory structures on site into a teaching farm and park.

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

INFRASTRUCTURE:

Streets: The parcel has frontage to South Broyles Avenue, West Woolsey Farm Road, and

South 54th Avenue, with driveway access on South Broyles Avenue. South Broyles Avenue is a partially improved minor arterial with asphalt paving, one lane in each direction, with curb and gutter on both sides, and sidewalk on the west side adjacent to the property. West Woolsey Farm Road is an unimproved collector street with asphalt paving and open ditches on both sides. South 54th Avenue is an unimproved collector street with asphalt paving and open ditches on both sides. Any street improvements required in these areas would be determined at the time of development proposal.

Water: Public water is available to this parcel. An existing 8-inch water main is present on West Woolsey Farm Road and South 54th Avenue that could serve parcel 765-016201-040.

Sewer: Sanitary Sewer is not available to this parcel. Sewer extension will be required at the site at the time of development if needed.

Drainage: Any additional improvements or requirements for drainage will be determined at time of development. No portion of the subject property is identified as Hillside-Hilltop Overlay District. There are no protected streams, but hydric soils are present on the property's southern half. 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 7, located at 835 N. Ruppel Road. The property is located approximately 2.1 miles from the fire station with an anticipated drive time of approximately 5 minutes using existing streets. The anticipated response time would be approximately 7.2 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 **Civic Institutional**. City Plan 2030 generally defines this designation as areas dedicated for building generally operated by not-for-profit organizations dedicated to culture, government, education or transit and municipal parking.

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 civic or institutional uses on the subject property lines up with P-1, which is a zoning district focused institutional development, which may in this case include a museum and teaching farm with associated parkland.

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 undeveloped and large lot residential properties. A new park and teaching farm are compatible uses with adjacent 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 P-1, as it will be more compatible with City Plan 2030's goals for civic uses in the area.

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

Finding: The rezoning from R-A to P-1 could 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 R-A to P-1 will undesirably increase the load on public services. Staff does note that response times for emergency services are not currently met for this location, but the uses allowed under P-1 are not expected to exacerbate that existing condition.

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 19-6703 to City Council with a recommendation of approval.

PLANNING COMMISSION ACTION: Required YES

Date: June 24, 2019

☐ Tabled

☒ Forwarded

☐ Denied

Motion: **Belden**

Motion to forward to CC recommending approval

Second: **Johnson**

Vote: **8-0-0**

Motion passed

BUDGET/STAFF IMPACT:

None

Attachments:

- Unified Development Code:
 - §161.03 – District R-A, Residential Agricultural
 - § 161.32 - District P-1, Institutional
- Fire Department memo
- Request letter
- One Mile Map
- Close-up Map
- Current Land Use Map
- Future Land Use Map

161.03 - District R-A, Residential-Agricultural

(A) *Purposes* . The regulations of the agricultural district are designed to protect agricultural land until an orderly transition to urban development has been accomplished; prevent wasteful scattering of development in rural areas; obtain economy of public funds in the providing of public improvements and services of orderly growth; conserve the tax base; provide opportunity for affordable housing, increase scenic attractiveness; and conserve open space.

(B) *Uses* .

(1) *Permitted Uses*.

Unit 1	City-wide uses by right
Unit 3	Public protection and utility facilities
Unit 6	Agriculture
Unit 7	Animal husbandry
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 37	Manufactured homes
Unit 41	Accessory dwellings
Unit 43	Animal boarding and training

(2) *Conditional Uses* .

Unit 2	City-wide uses by conditional use permit
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 20	Commercial recreation, large sites

Unit 24	Home occupations
Unit 35	Outdoor Music Establishments
Unit 36	Wireless communications facilities
Unit 42	Clean technologies

(C) *Density.*

Units per acre	One-half (½)
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(D) *Bulk and Area Regulations.*

Lot width minimum	200 feet
Lot Area Minimum:	
Residential:	2 acres
Nonresidential:	2 acres
Lot area per dwelling unit	2 acres

(E) *Setback Requirements.*

Front	Side	Rear
35 feet	20 feet	35 feet

(F) *Height Requirements.* There shall be no maximum height limits in the R-A District, provided, however, if a building exceeds the height of one (1) story, the portion of the building over one (1) story 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 one (1) story shall be equal to the difference between the total height of that portion of the building and one (1) story.

(G) *Building area.* None.

(Code 1965, App. A., Art. 5(1); Ord. No. 1747, 6-29-70; Code 1991, §160.030; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 5028, 6-19-07; Ord. No. 5128, 4-15-08; Ord. No. 5195, 11-6-08; Ord. No. 5238, 5-5-09; Ord. No. 5479, 2-7-12; Ord. No. [5945](#), §3, 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 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
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	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)

TO: Harry Davis, Planner

CC: Battalion Chief Brian Sloat, Fire Marshal

FROM: Rodney Colson, Fire Protection Engineer

DATE: May 22, 2019

SUBJECT: RZN 19-6703: Rezone (535 S. Broyles Ave./Woolsey Farm, 515)

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 7, located at 835 N. Ruppel Road. The property is located approximately 2.1 miles from the fire station with an anticipated drive time of approximately 5 minutes using existing streets. The anticipated response time would be approximately 7.2 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.

REVIVAL ARCHITECTURE

301 Main St. Suite 203 North Little Rock, 72114

501.951.2080

www.revivalarch.com

Mr. Andy Harrison
Development Coordinator/ Planning Division
City of Fayetteville
125 W. Mountain St.
Fayetteville, AR 72701

Re: Woolsey Farmstead/ Re-Zoning Application

Dear Mr. Harrison:

On behalf of our client, the City of Fayetteville, please find attached a re-zoning application and supporting documentation. As you may know, the City is pursuing a restoration of what remains of an 1840's farmstead currently on the property, including the house itself and a smokehouse, while reconstructing lost outbuildings in a manner true to the mid nineteenth century. A cemetery on the property, where the Woolsey's are buried, will also be restored.

The farmstead will not be functioning nor will the home be inhabited. Instead, the farmstead will serve an educational purpose of demonstrating life in the mid nineteenth century. Plans also include restoring the landscape to its likely appearance during that period, as well as providing trails that will eventually link to the City's ongoing trail masterplan. The property will essentially serve as a park.

Should you have any questions, please let us know.

Cordially,

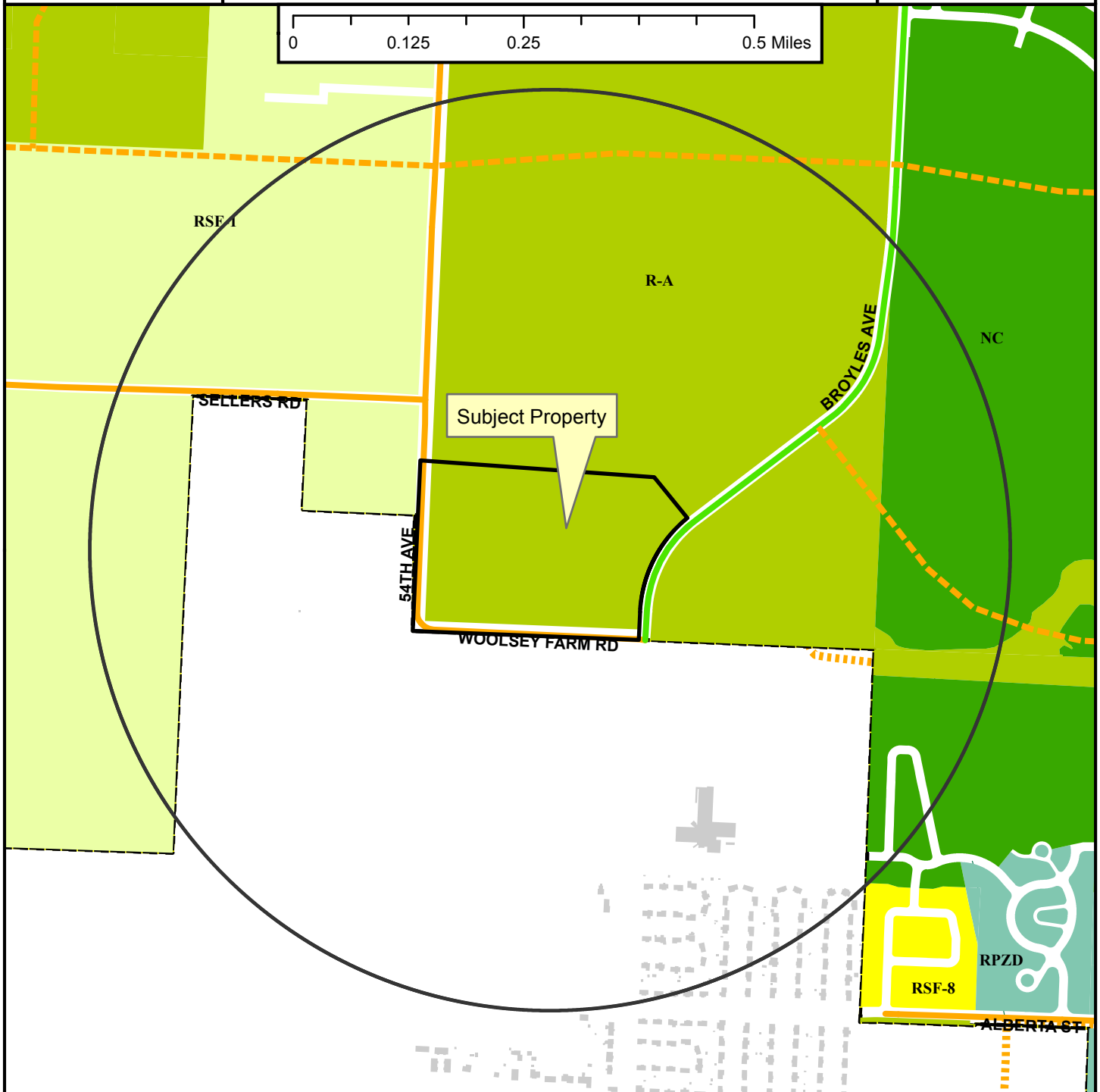
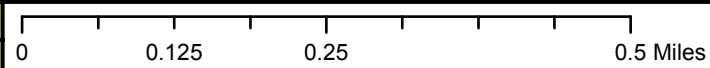
A handwritten signature in black ink, appearing to be 'AR' with a stylized flourish.

Aaron C. Ruby, AIA, LEED AP

RZN19-6703

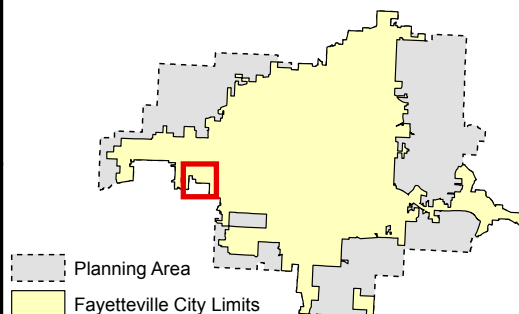
WOOLSEY FARM

One Mile View



Legend

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



- Zoning**
- RESIDENTIAL SINGLE-FAMILY**
 - RSF-5 Residential-Agricultural
 - RSF-1
 - RSF-2
 - RSF-4
 - RSF-7
 - RSF-8
 - RSF-18
 - RESIDENTIAL MULTI-FAMILY**
 - RT-12 Residential Two and Three-family
 - RMF-6
 - RMF-12
 - RMF-18
 - RMF-24
 - RMF-40
 - INDUSTRIAL**
 - I-1 Heavy Commercial and Light Industrial
 - I-2 General Industrial
- EXTRACTION**
- 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




RZN19-6703
<i>Close Up View</i>

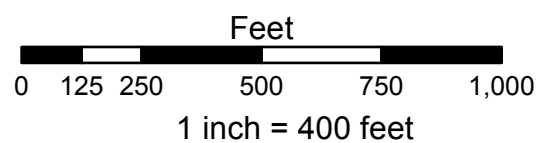
WOOLSEY FARM

Close Up View



Legend

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

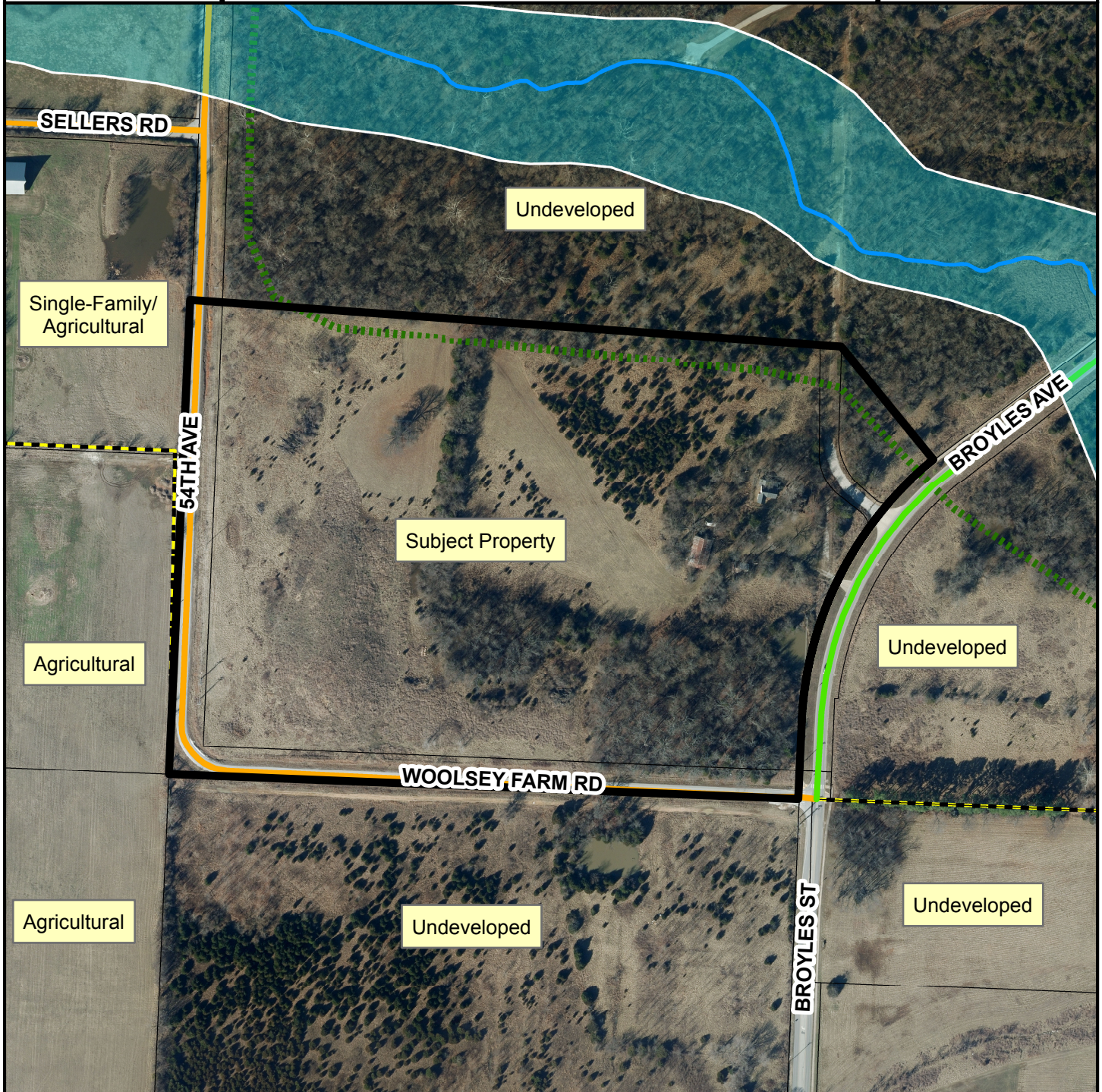


<u>Zoning</u>	<u>Acres</u>
P-1	30.2
Total	30.2

RZN19-6703

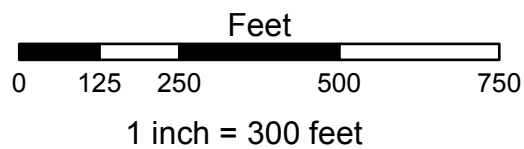
Current Land Use

WOOLSEY FARM



Streets Existing MSP Class

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



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

RZN19-6703

WOOLSEY FARM

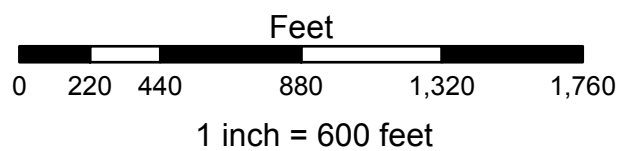


Future Land Use



Legend

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



FUTURE LAND USE 2030

- Natural Area
- Rural Area
- Residential Neighborhood Area
- Civic Institutional