

City of Fayetteville Staff Review Form

2019-0462

Legistar File ID

8/20/2019

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

Garner Stoll

8/2/2019

CITY PLANNING (630)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

RZN 19-6716: Rezone (EAST OF 3638 N. FRONT ST./TRAILS AT MUD CREEK, 174, 175): Submitted by JEL LAND ACQUISITIONS, LLC. for properties located EAST OF 3638 N. FRONT ST. The properties are zoned C-2, THOROUGHFARE COMMERCIAL & I-1, HEAVY COMMERCIAL & LIGHT INDUSTRIAL and contain approximately 10.43 acres. The request is to rezone the properties to CS, COMMUNITY SERVICES.

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 AUGUST 20, 2019**

**TO:** Mayor; Fayetteville City Council

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

**FROM:** Harry Davis, Staff Planner

**DATE:** August 2, 2019

**SUBJECT:** **RZN 19-6716: Rezone (EAST OF 3638 N. FRONT ST./TRAILS AT MUD CREEK, 174, 175):** Submitted by JEL LAND ACQUISITIONS, LLC. for properties located EAST OF 3638 N. FRONT ST. The properties are zoned C-2, THOROUGHFARE COMMERCIAL & I-1, HEAVY COMMERCIAL & LIGHT INDUSTRIAL and contain approximately 10.43 acres. The request is to rezone the properties to CS, COMMUNITY SERVICES.

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**RECOMMENDATION:**

The Planning Commission and staff recommend approval of an ordinance to rezone the subject property to CS, Community Services, as shown in the attached Exhibits 'A' and 'B'.

**BACKGROUND:**

The proposed rezoning request is for three parcels totaling approximately 10.43 acres at the eastern end of Sain Street. The property is undeveloped and currently zoned as C-2, Commercial Thoroughfare in the north and I-1, Heavy Commercial and Light Industrial in the south. The Master Street Plan classifies Sain Street as a Collector Street with a planned extension through the subject property. The site is fully within the floodplain and floodway of Mud Creek.

*Request:* The request is to rezone the subject property from C-2 and I-1 to CS, Community Services for future mixed-use development.

*Land Use Compatibility:* The proposed zoning is compatible with surrounding land use patterns in this area, which contains a parkland and natural area, institutions, and commercial uses. CS allows for a wide arrange of potential land uses which are anticipated to be similar in intensity to surrounding properties.

*Land Use Plan Analysis:* The proposed zoning is fully consistent with the Future Land Use Map (FLUM) designation of this property as part Urban Center Area and part City neighborhood Area. The goals of City Plan 2030 include making traditional town form the standard. The CS zoning district encourages patterns of development that result in realizing this goal over time, including appropriate infill development and an expectation that buildings will be located near streets and at corner locations. This results in creating an environment appealing to pedestrians and reducing

the visual impact of parking areas. A mixture of residential and commercial uses is typical in a traditional urban form.

**DISCUSSION:**

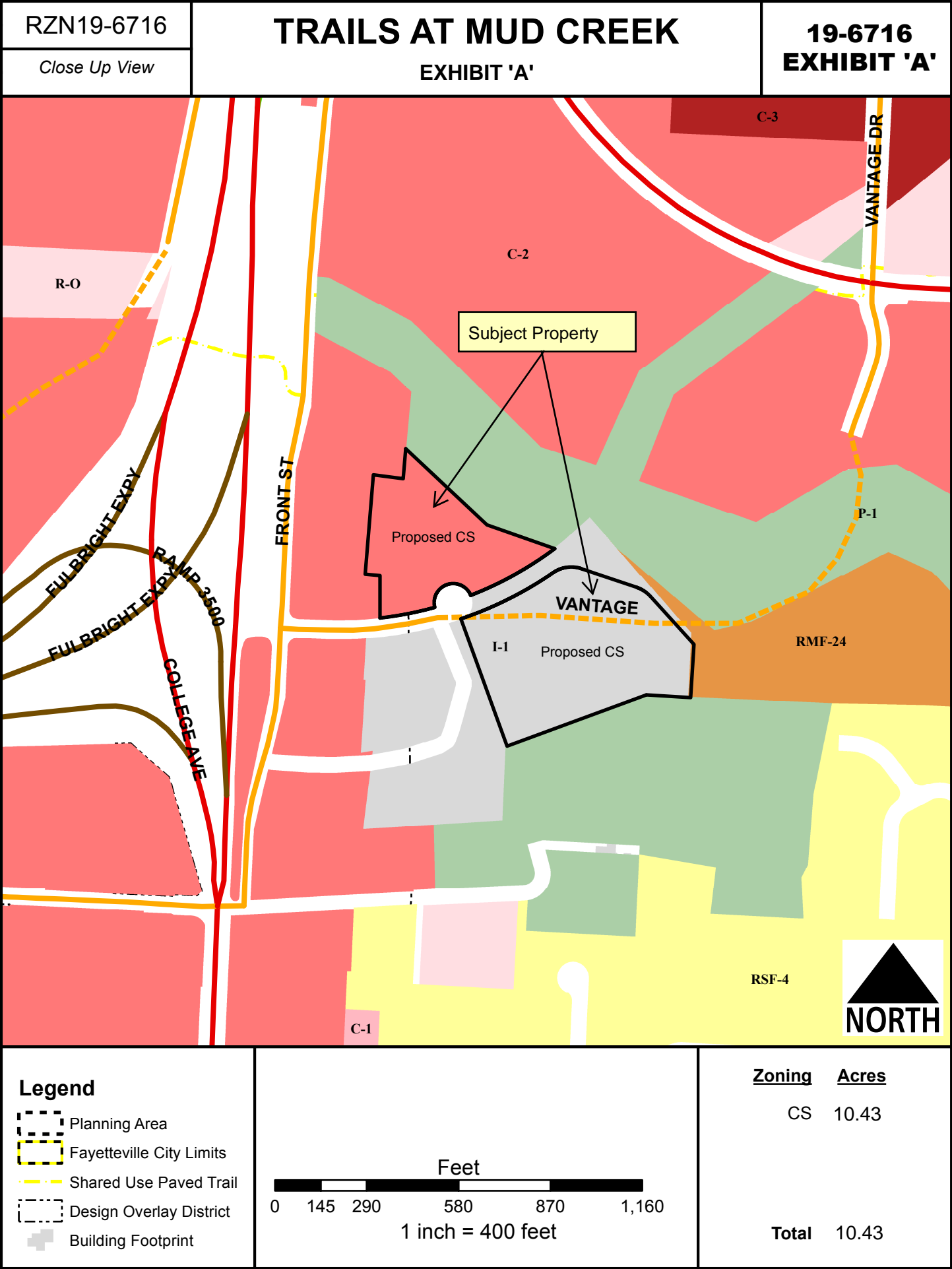
On July 8, 2019, the Planning Commission forwarded the proposal to City Council with a recommendation for approval by a vote of 9-0-0. The Planning Commission also recommended City Council rezone city-owned property that bisects the subject property to CS. No public comment was made.

**BUDGET/STAFF IMPACT:**

N/A

**Attachments:**

- Exhibit A
- Exhibit B
- Planning Commission Staff Report



**19-6716**  
**EXHIBIT 'B'**

PARCEL NO. 765-16854-000

A PART OF LOT 11, VANTAGE SQUARE, UNIT 2, FAYETTEVILLE, ARKANSAS AS SHOWN ON PLAT RECORDED IN BOOK 10, PAGE 79, WASHINGTON COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO-WHIT: BEGINNING AT THE SOUTHEAST CORNER OF LOT 12D, AS SHOWN ON THE ABOVE DESCRIBED PLAT OF VANTAGE SQUARE, SAID CORNER BEING A FOUND 5/8" REBAR AND RUNNING; THENCE N00°02'39"E A DISTANCE OF 134.20' TO A SET 1/2" REBAR; THENCE N85°11'30"W A DISTANCE OF 47.36' TO A SET 1/2" REBAR; THENCE N04°48'31"E A DISTANCE OF 314.82' TO A SET 1/2" REBAR; THENCE S82°46'29"E A DISTANCE OF 94.73' TO A FOUND 1/2" REBAR WITH CAP (PLS 969); THENCE N04°48'48"E A DISTANCE OF 95.00'; THENCE S46°47'05"E A DISTANCE OF 351.76' TO A SET 1/2" REBAR; THENCE S70°46'33"E A DISTANCE OF 227.00' TO THE NORTH RIGHT-OF-WAY LINE OF EAST SAIN STREET, SAID POINT BEING A SET 1/2" REBAR; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 304.78', WITH A RADIUS OF 1,115.51', WITH A CHORD BEARING OF S60°57'27"W, WITH A CHORD LENGTH OF 303.83' TO A FOUND 5/8" REBAR; THENCE CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, WITH A REVERSE CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 180.90', WITH A RADIUS OF 60.00', WITH A CHORD BEARING OF S71°28'37"W, WITH A CHORD LENGTH OF 119.76' TO A FOUND 5/8" REBAR; THENCE WITH A REVERSE CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 176.16', WITH A RADIUS OF 1,115.51', WITH A CHORD BEARING OF S79°02'03"W, WITH A CHORD LENGTH OF 175.98' TO THE TO THE POINT OF BEGINNING; CONTAINING 174,026.2 SQUARE FEET, 3.99 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD. FOR A TOTAL AREA OF 189,883.1 SQUARE FEET, 4.35 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

PARCEL NO. 765-02504-000 & PARCEL NO. 765-02504-001

PART OF BLOCK 2, A W REALTY SUBDIVISION , FAYETTEVILLE, ARKANSAS AS SHOWN ON REPLAT RECORDED IN PLAT BOOK 10, PAGE 10, WASHINGTON COUNTY, ARKANSAS, AND BEING LOCATED IN THE SOUTHEAST QUARTER, OF THE NORTHEAST QUARTER, SECTION 26, AND ALSO PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 17 NORTH, RANGE 30 WEST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT THE EAST 1/4 CORNER OF SECTION 26, SAID POINT BEING A FOUND 2" MONUMENT IN CONCRETE, AND RUNNING; THENCE S69°47'00"W 468.68' TO A FOUND 5/8" REBAR; THENCE N19°57'47"W 427.22' TO THE SOUTH RIGHT-OF-WAY LINE OF EAST SAIN STREET, SAID POINT BEING A FOUND 5/8" REBAR; THENCE ALONG SAID SOUTH RIGHT-OF-WAY, WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 329.35', WITH A RADIUS OF 1175.51', WITH A CHORD BEARING OF N63°21'32"E, WITH A CHORD LENGTH OF 328.28' TO A SET 1/2" REBAR; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY LINE WITH A REVERSE CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 90.57', WITH A RADIUS OF 100.00', WITH A CHORD BEARING OF N82°33'42"E, WITH A CHORD LENGTH OF 87.50' SET 1/2" REBAR; THENCE S71°29'30"E 184.29' TO A SET 1/2" REBAR; THENCE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 50.98', WITH A RADIUS OF 100.00', WITH A CHORD BEARING OF S56°53'05"E, WITH A CHORD LENGTH OF 50.43' SET 1/2" REBAR; THENCE S 42°16'48" E 10.68' TO A 1/2" REBAR SET ON THE EAST LINE OF SAID FORTY ACRE TRACT; THENCE S42°16'48"E 195.28' TO A SET 1/2" REBAR; THENCE S03°31'12"W 168.78' TO A SET 1/2" REBAR; THENCE N86°24'15"W 140.00' TO THE POINT OF BEGINNING. CONTAINING 6.08 ACRES MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.



**TO:** City of Fayetteville Planning Commission

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

**FROM:** Harry Davis, Planner

**MEETING DATE:** July 8, 2019 **UPDATED W PC RESULTS**

**SUBJECT:** **RZN 19-6716: Rezone (EAST OF 3638 N. FRONT ST./TRAILS AT MUD CREEK, 174, 175):** Submitted by JEL LAND ACQUISITIONS, LLC. for properties located EAST OF 3638 N. FRONT ST. The properties are zoned C-2, THOROUGHFARE COMMERCIAL & I-1, HEAVY COMMERCIAL & LIGHT INDUSTRIAL and contain approximately 10.73 acres. The request is to rezone the properties to CS, COMMUNITY SERVICES.

**RECOMMENDATION:**

Staff recommends forwarding **RZN 19-6716** to the City Council with a recommendation of approval, based on the findings herein. Prior to staff submitting the City Council agenda request, the applicant shall submit revised and accurate legal descriptions of the proposed zoning area.

**RECOMMENDED MOTION:**

"I move to forward **RZN 19-6716** to City Council with a recommendation for approval."

**BACKGROUND:**

The proposed rezoning request is for three parcels totaling approximately 10.73 acres at the eastern end of Sain Street. The property is undeveloped and currently zoned as C-2, Commercial Thoroughfare in the north and I-1, Heavy Commercial and Light Industrial in the south. The Master Street Plan classifies Sain Street as a Collector Street with a planned extension through the subject property. The site is fully within the floodplain and floodway of Mud Creek. Surrounding land use and zoning is depicted on *Table 1*.

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

Direction from Site	Land Use	Zoning
North	Parkland along Mud Creek	P-1, Institutional
South	Christian Life Cathedral	P-1, Institutional
East	Undeveloped; Parkland along Mud Creek	RMF-24, Residential Multi-family, 24 Unit per Acre; P-1, Institutional
West	Commercial; UA Uptown Campus	C-2, Commercial Thoroughfare; I-1, Heavy Commercial and Light Industrial

*Request:* The request is to rezone the subject property from C-2 and I-1 to CS, Community Services for future mixed-use development.

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

## **INFRASTRUCTURE:**

- Streets:** Parcel 765-16854-000 has frontage to East Sain Street. East Sain Street is a partially improved collector with asphalt paving and curb and gutter along both sides. Parcels 765-02504-000 and 765-02504-001 do not have street frontage. Any street improvements required in these areas would be determined at the time of development proposal.
- Water:** Public water is available to parcels 765-16854-000 and 765-02504-000. An existing 6-inch watermain is present on East Sain Street that could serve these parcels. Public water is not available to parcel 765-02504-001.
- Sewer:** Sanitary sewer is available to all three parcels. An existing 8-inch sewer main is present in the area that could serve these parcels.
- Drainage:** Any additional improvements or requirements for drainage would be determined at time of development. More than half of the subject area lies within the 100-year floodplain, with a significant amount of the northernmost portion also being in a regulatory floodway. There is a small portion of the subject area also within the 500-year floodplain. Hydric soils appear to be present in nearly the entire subject area. No part of the parcel lies within the HHOD and there are no protected streams in the subject area.
- Fire:** The Fayetteville Fire Department did not express any concerns with this request. The site will be protected by Station 4, located at 3385 N. Plainview Avenue. The property is located approximately 0.5 miles from the fire station with an anticipated drive time of approximately 2 minutes using existing streets. The anticipated response time would be approximately 4.2 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 did not express any 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 **Urban Center Area**. These areas contain the most intense and dense development patterns within the City and allow for the tallest and greatest variety of buildings. Urban Center accommodates rowhouses, apartments, local and regional retail, hotels, clean technology industries and entertainment uses. These areas are typified by their location adjacent to major thoroughfares with high visibility. Although Urban Center Areas recognize the conventional big box and strip retail centers existing along major arterials, it is expected that vacant properties will be developed into traditional mixed-use centers, allowing people to live, work and shop in the same area. Additionally, infill of underperforming or undervalued existing big box and strip centers should be strongly encouraged since there is a greater return on investment for redevelopment of these areas that have existing public infrastructure such as streets, sidewalks, trails, water, sewer and parklands.*

*A small part of the subject property is also designated as **City Neighborhood Area**. These areas are more densely developed than residential neighborhood areas and provide a mix of non-residential and residential uses. This designation supports the widest spectrum of uses and encourages density in all housing types, from single-family to multi-family. Non-residential and commercial uses are primarily located at street intersections and along major corridors. Ideally, commercial uses would have a residential component and vary in size, variety and intensity. The street network should have a high number of intersections creating a system of small blocks with a high level of connectivity between neighborhoods. Building setbacks and landscaping are urban in form with street trees typically being located within the sidewalk zone.*

## FINDINGS OF THE STAFF

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

**Finding:** ***Land Use Compatibility:** The proposed zoning is compatible with surrounding land use patterns in this area, which contains a parkland and natural area, institutions, and commercial uses. CS allows for a wide arrange of potential land uses which are anticipated to be similar in intensity to surrounding properties.*

***Land Use Plan Analysis:** The proposed zoning is fully consistent with the Future Land Use Map (FLUM) designation of this property as part Urban Center Area and part City neighborhood Area. The goals of City Plan 2030 include making traditional town form the standard. The CS zoning district encourages patterns of development that result in realizing this goal over time, including appropriate infill development and an expectation that buildings will be located near streets and at corner locations. This results in creating an environment appealing to pedestrians and reducing the visual impact of parking areas. A mixture of residential and commercial uses is typical in a traditional urban form.*

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

**Finding:** ***The proposed CS, Community Services will facilitate the future development of the subject property.***

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

**Finding:** ***CS zoning allows a wide range of commercial and residential activity, but staff does not anticipate that the proposed rezone would create or increase traffic danger and congestion compared to the existing C-2 and I-1 zoning districts.***

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 from C-2 and I-1 to CS would significantly alter population density in the area, but the rezone request is not likely to undesirably increase 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:** Staff recommends forwarding RZN 19-6716 to the City Council with a recommendation of approval, based on the findings discussed throughout this report. Prior to staff submitting the City Council agenda request, the applicant shall submit revised and accurate legal descriptions of the proposed zoning area.

<b>PLANNING COMMISSION ACTION: Required <u>YES</u></b>			
<b>Date:</b> <u>July 8, 2019</u>	<input type="checkbox"/> Tabled	<input checked="" type="checkbox"/> Forwarded	<input type="checkbox"/> Denied
<b>Motion:</b> Johnson	Motion to forward to CC recommending in favor		
<b>Second:</b> Belden	Also recommend the CC rezone its city-owned property that bisects the applicant's property		
<b>Vote:</b> 9-0-0	Motion passes		

**BUDGET/STAFF IMPACT:**

None

**Attachments:**

- Unified Development Code
  - 161.22 - Community Services
  - 161.23 - C-2, Thoroughfare Commercial
  - 161.30 - I-1, Heavy Commercial And Light Industrial
- Request letter
- One Mile Map
- Close-Up Map
- Current Land Use Map
- Future Land Use Map

## 161.22 - Community Services

(A) *Purpose.* The Community Services District is designed primarily to provide convenience goods and personal services for persons living in the surrounding residential areas and is intended to provide for adaptable mixed use centers located along commercial corridors that connect denser development nodes. There is a mixture of residential and commercial uses in a traditional urban form with buildings addressing the street. For the purposes of Chapter 96: Noise Control, the Community Services district is a commercial zone. The intent of this zoning district is to provide standards that enable development to be approved administratively.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 13	Eating places
Unit 15	Neighborhood Shopping goods
Unit 18	Gasoline service stations and drive- in/drive through restaurants
Unit 24	Home occupations

Unit 25	Offices, studios and related services
Unit 26	Multi-family dwellings
Unit 41	Accessory dwellings
Unit 44	Cluster Housing Development
Unit 45	Small scale production

Note: Any combination of above uses is permitted upon any lot within this zone. Conditional uses shall need approval when combined with pre-approved uses.

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 14	Hotel, motel and amusement services
Unit 16	Shopping goods
Unit 17	Transportation, trades and services
Unit 19	Commercial recreation, small sites
Unit	Center for collecting recyclable

28	materials
Unit 34	Liquor stores
Unit 35	Outdoor music establishments
Unit 36	Wireless communication facilities*
Unit 40	Sidewalk Cafes
Unit 42	Clean technologies

(C) *Density* . None.

(D) *Bulk and Area Regulations* .

(1) *Lot Width Minimum*.

Dwelling	18 feet
All others	None

(2) *Lot Area Minimum*. None.

(E) *Setback regulations* .

Front:	A build-to zone that is located between 10 feet and a line 25 feet from the front property line.
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Side and rear:	None
Side or rear, when contiguous to a single-family residential district:	15 feet

(F) *Building Height Regulations.*

Building Height Maximum	5 stories
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(G) *Minimum Buildable Street Frontage.* 50% of the lot width.

(Ord. No. 5312, 4-20-10; Ord. No. 5339, 8-3-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5735, 1-20-15; Ord. No. [5800](#), § 1(Exh. A), 10-6-15; Ord. No. [5921](#), §1, 11-1-16; Ord. No. [5945](#), §§ 5, 7—9, 1-17-17; Ord. No. [6015](#), §1(Exh. A), 11-21-17)

161.23 - District C-2, Thoroughfare Commercial

(A) *Purpose.* The Thoroughfare Commercial District is designed especially to encourage the functional grouping of these commercial enterprises catering primarily to highway travelers.

(B) *Uses.*

(1) *Permitted Uses .*

Unit 1	City-wide uses by right
Unit 4	Cultural and recreational facilities
Unit 5	Government Facilities
Unit 13	Eating places
Unit 14	Hotel, motel, and amusement facilities
Unit 16	Shopping goods
Unit 17	Transportation trades and services
Unit 18	Gasoline service stations and drive- in/drive through restaurants
Unit 19	Commercial recreation, small sites
Unit 20	Commercial recreation, large sites
Unit 25	Offices, studios, and related services
Unit	Adult live entertainment club or bar

33	
Unit 34	Liquor store
Unit 44	Cluster Housing Development
Unit 45	Small scale production

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 21	Warehousing and wholesale
Unit 28	Center for collecting recyclable materials
Unit 29	Dance Halls
Unit 32	Sexually oriented business
Unit 35	Outdoor music establishments
Unit 36	Wireless communications facilities
Unit	Mini-storage units

38	
Unit 40	Sidewalk Cafes
Unit 42	Clean technologies
Unit 43	Animal boarding and training

(C) *Density.* None.

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

(E) *Setback Regulations.*

Front	15 feet
Front, if parking is allowed between the right-of-way and the building	50 feet
Side	None
Side, when contiguous to a residential district	15 feet
Rear	20 feet

(F) *Building Height Regulations .*

Building Height Maximum	6 stories*
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\* 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 side 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(VI); Ord. No. 1833, 11-1-71; Ord. No. 2351, 6-2-77; Ord. No. 2603, 2-19-80; Ord. No. 1747, 6-29-70; Code 1991, §160.036; Ord. No. 4034, §3, 4, 4-15-97; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 4727, 7-19-05; Ord. No. 4992, 3-06-07; Ord. No. 5028, 6-19-07; Ord. No. 5195, 11-6-08; Ord. No. 5312, 4-20-10; Ord. No. 5339, 8-3-10; Ord. No. 5353, 9-7-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5735, 1-20-15; Ord. No. [5800](#), § 1(Exh. A), 10-6-15; Ord. No. [5921](#), §1, 11-1-16; Ord. No. [5945](#), §§ 5, 7, 1-17-17; Ord. No. [6015](#), §1(Exh. A), 11-21-17)

161.30 - District I-1, Heavy Commercial And Light Industrial

(A) *Purpose.* The Heavy Commercial District is designed primarily to accommodate certain commercial and light industrial uses which are compatible with one another but are inappropriate in other commercial or industrial districts. The Light Industrial District is designed to group together a wide range of industrial uses, which do not produce objectionable environmental influences in their operation and appearance. The regulations of this district are intended to provide a degree of compatibility between uses permitted in this district and those in nearby residential districts.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government Facilities
Unit 6	Agriculture
Unit 13	Eating places
Unit 16	Shopping goods
Unit 17	Transportation trades and services
Unit 18	Gasoline service stations and drive- in/drive through restaurants
Unit 21	Warehousing and wholesale
Unit	Manufacturing

22	
Unit 25	Offices, studios and related services
Unit 27	Wholesale bulk petroleum storage facilities with underground storage tanks
Unit 42	Clean technologies

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 19	Commercial recreation, small sites
Unit 20	Commercial recreation, large sites
Unit 28	Center for collecting recyclable materials
Unit 36	Wireless communications facilities
Unit 38	Mini-storage units
Unit 43	Animal boarding and training

(C) *Density.* None.

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

(E) *Setback Regulations.*

Front, when adjoining A or R districts	50 feet
Front, when adjoining C, I, or P districts	25 feet
Side, when adjoining A or R districts	50 feet
Side, when adjoining C, I, or P districts	10 feet
Rear	25 feet

(F) *Height Regulations.* There shall be no maximum height limits in I-1 District, provided, however, that 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.* None.

(Code 1965, App. A., Art. 5(VIII); Ord. No. 2351, 6-2-77; Ord. No. 2430, 3-21-78; Ord. No. 2516, 4-3-79; Ord. No. 1747, 6-29-70; Code 1991, §160.039; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 4992, 3-06-07; Ord. No. 5028, 6-19-07; Ord. No. 5195, 11-6-08; Ord. No. 5312, 4-20-10; Ord. No. 5339, 8-3-10; Ord. No. 5353, 9-7-10; Ord. No. 5472, 12-20-11; Ord. No. [5800](#), § 1(Exh. A), 10-6-15; Ord. No. [5945](#), §§ 5, 7, 1-17-17; Ord. No. [5982](#), §1, 6-20-2017; Ord. No. [6015](#), §1(Exh. A), 11-21-17)

## STATEMENT ON COMPATIBILITY

### COMMUNITY SERVICES:

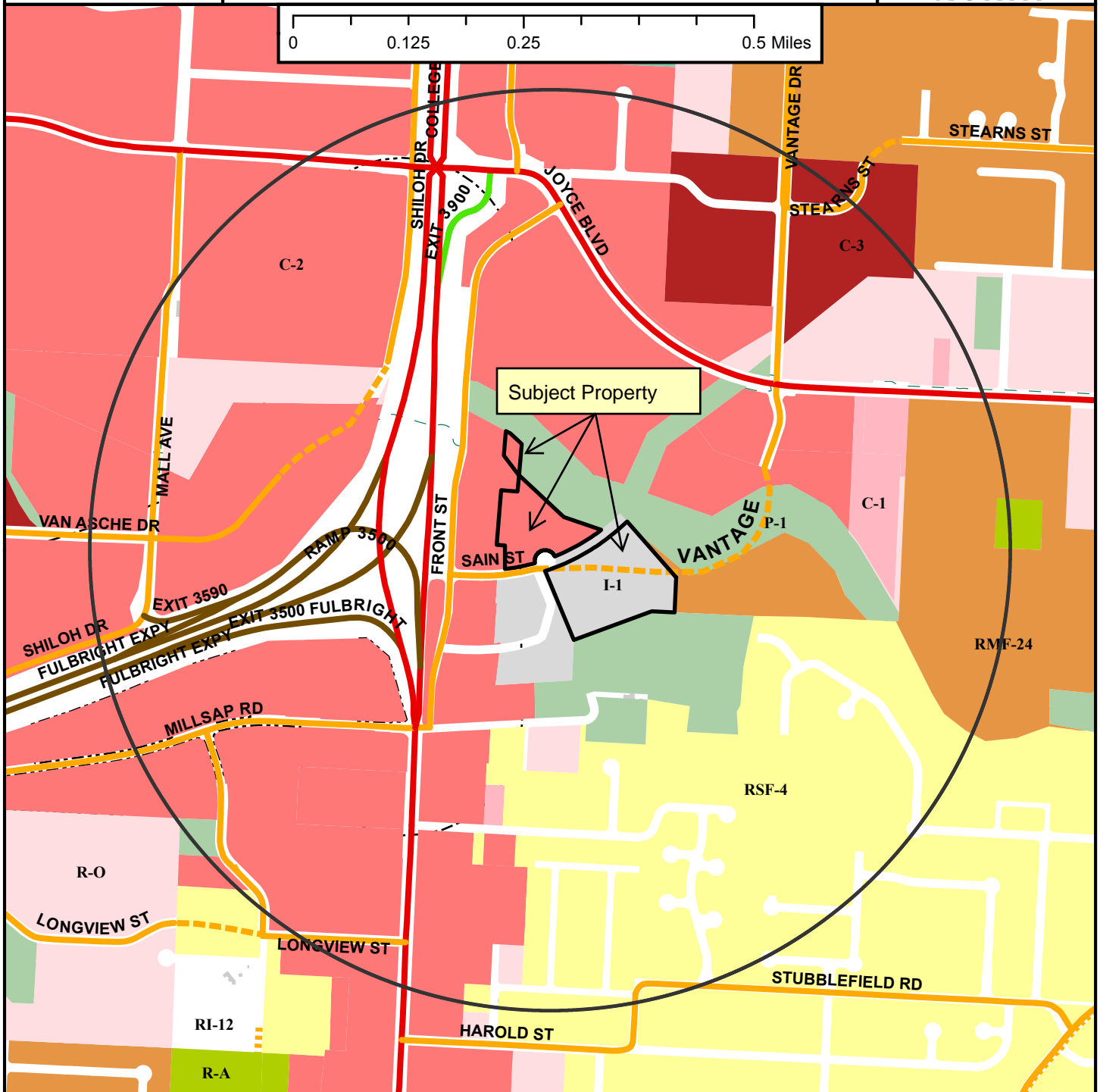
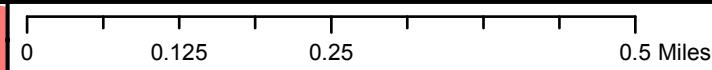
The subject property is located along the future extension of Sain Avenue between Joyce Street and College Avenue. The Applicant is requesting to rezone approximately 19 acres to Community Services. The Community Services portion of this property would be consistent with the development of this area of town as a mixed use residential, commercial, and retail hub. A Community Services zoning would allow uses to serve the existing residential and business development that is currently located and travels through the Uptown Fayetteville and 71 Business Corridors. Joyce Boulevard is a major 4-lane road and commercial corridor that connects a large part of the 71 Business corridor with residential areas of Fayetteville. With the extension of Sin Street, it is anticipated that large volumes of traffic will travel between the single family residential portions of Fayetteville, the Joyce Commercial Corridor, and the 71 Business Corridor and I-49. The Community Services zoning district will allow infill development close to existing infrastructure and will alleviate commuter traffic from our road system. This rezoning is consistent with the 71B Corridor Plan

RZN19-6716

# TRAILS AT MUD CREEK

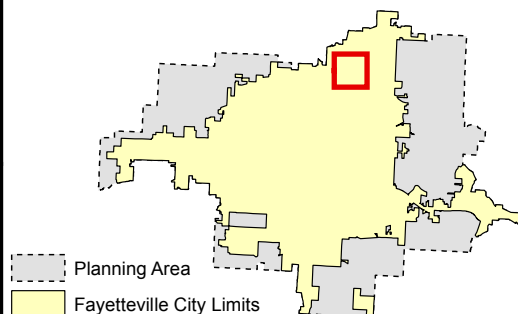


One Mile View



## Legend

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

- RMF-6 Residential Two and Three-family
- RMF-12
- RMF-18
- RMF-24
- RMF-40

### INDUSTRIAL

- I-1 Heavy Commercial and Light Industrial
- I-2 General Industrial

## EXTRACTION

### COMMERCIAL

- E-1
- 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

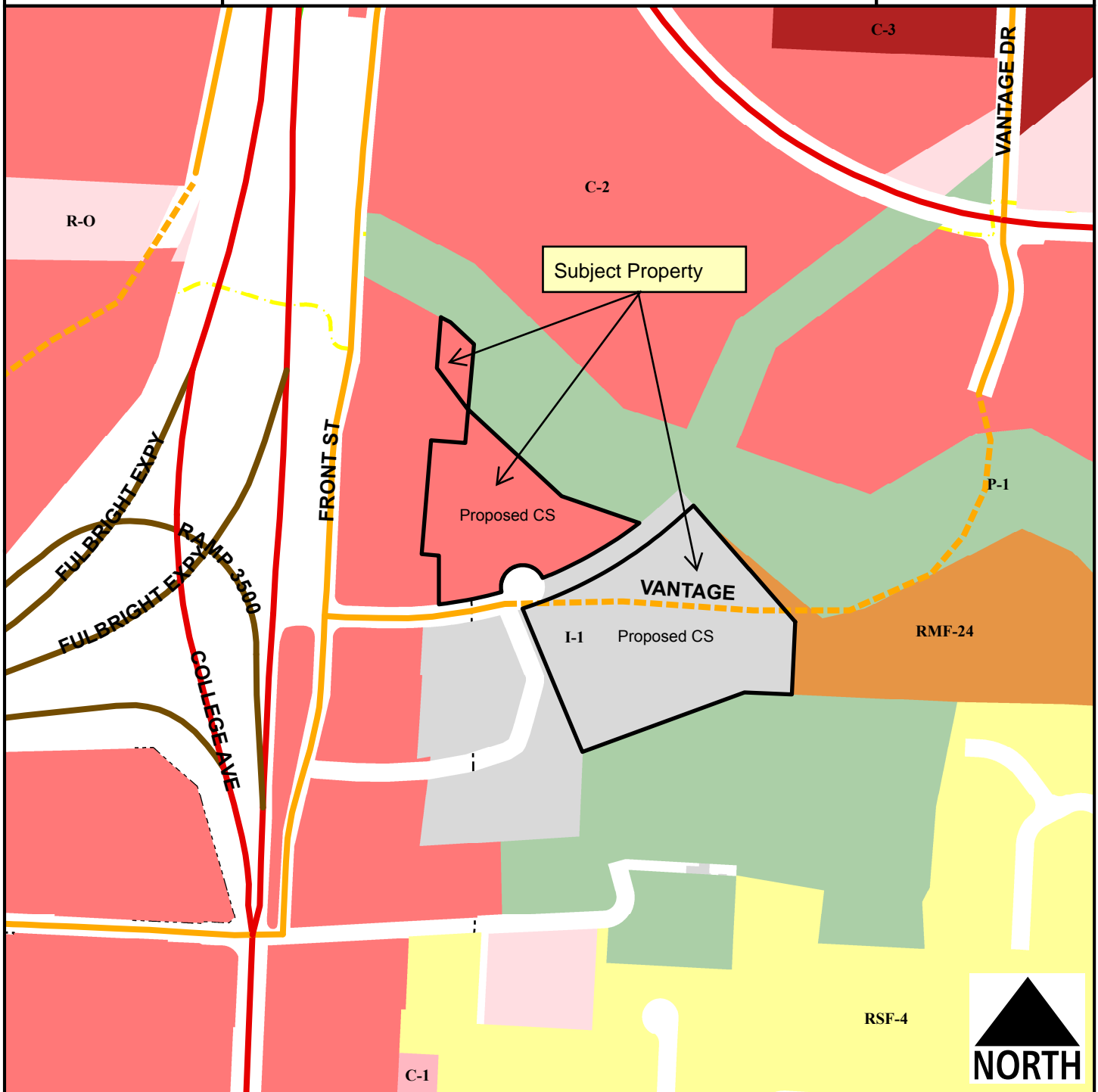
### INSTITUTIONAL

- P-1

RZN19-6716

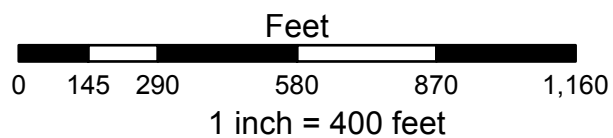
## TRAILS AT MUD CREEK

Close Up View



## Legend

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

Zoning   Acres

CS   10.73

**Total**   10.73



RZN19-6716

Current Land Use

# TRAILS AT MUD CREEK



## Streets Planned

### MSP Class

COLLECTOR

### Streets Existing

#### MSP Class

COLLECTOR

FREEWAY/EXPRESSWAY

PRINCIPAL ARTERIAL

Planning Area

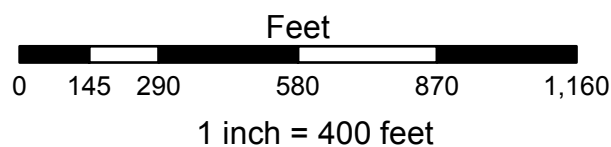
Fayetteville City Limits

Design Overlay District

## FEMA Flood Hazard Data

100-Year Floodplain

Floodway

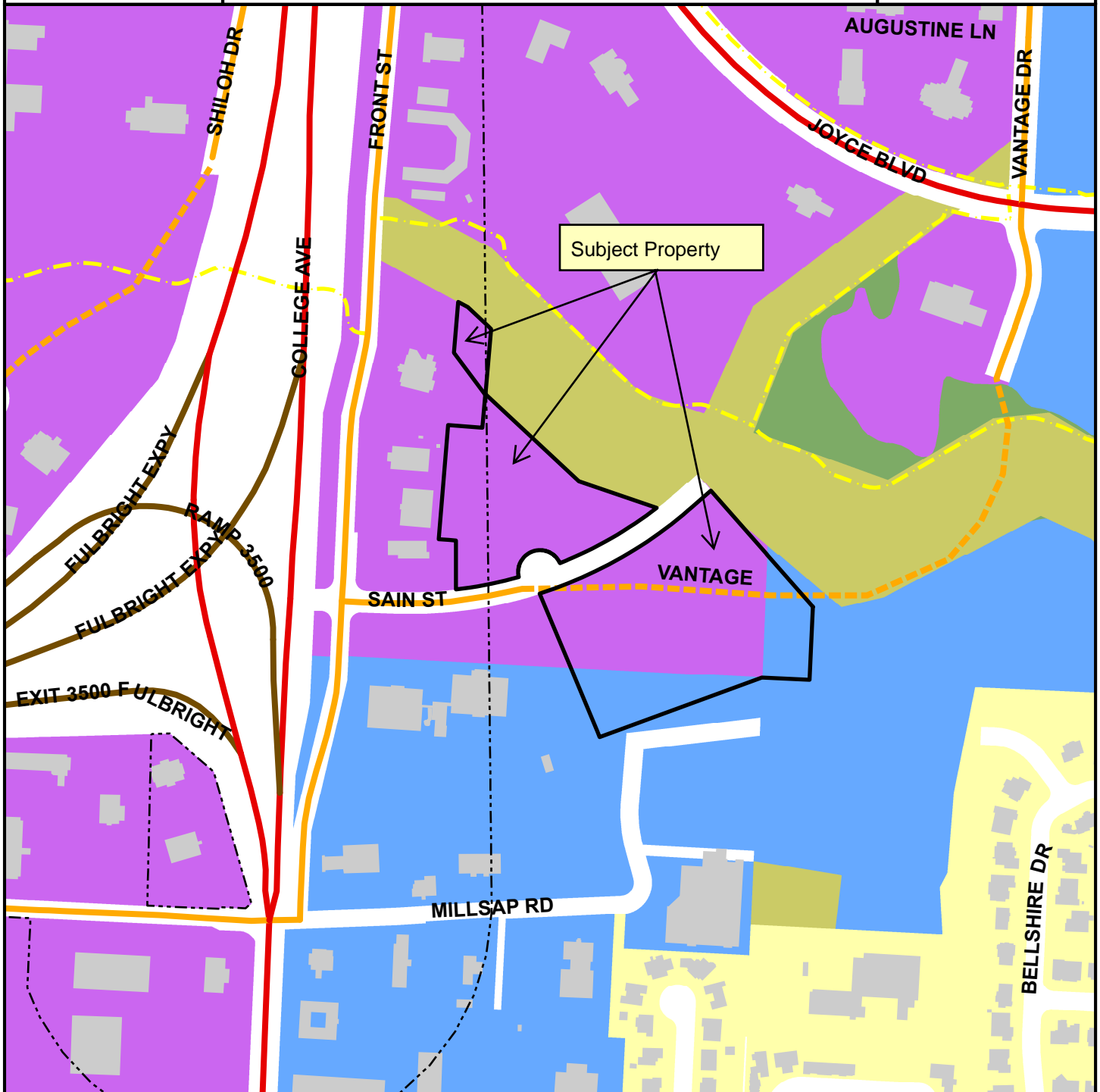




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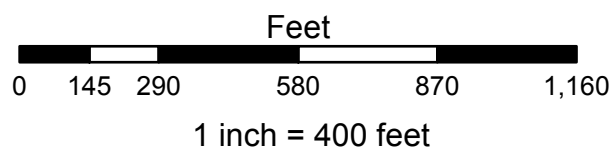
Future Land Use

# TRAILS AT MUD CREEK



## Legend

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



## FUTURE LAND USE 2030

- Natural Area
- Residential Neighborhood Area
- City Neighborhood Area
- Urban Center Area
- Civic and Private Open Space/Parks