

**City of Fayetteville Staff Review Form**

**2020-1004**

**Legistar File ID**

**12/1/2020**

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

Garner Stoll

11/13/2020

CITY PLANNING (630)

**Submitted By**

**Submitted Date**

**Division / Department**

**Action Recommendation:**

RZN-2020-000018: Rezone (310 & 325 N. FLETCHER AVE./MCDONALD, 485): Submitted by FLINTLOCK CO., LTD. for property located at 310 & 325 N. FLETCHER AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 0.92 acres. The request is to rezone the property to RSF-8, RESIDENTIAL SINGLE FAMILY, 8 UNITS PER ACRE.

**Budget Impact:**

Account Number	Fund
Project Number	Project Title
<b>Budgeted Item?</b> <u>NA</u>	<b>Current Budget</b> \$            -
	<b>Funds Obligated</b> \$            -
	<b>Current Balance</b> <span style="border: 1px solid black; padding: 2px;">\$            -</span>
<b>Does item have a cost?</b> <u>No</u>	<b>Item Cost</b>
<b>Budget Adjustment Attached?</b> <u>NA</u>	<b>Budget Adjustment</b>
	<b>Remaining Budget</b> <span style="border: 1px solid black; padding: 2px;">\$            -</span>

V20180321

**Purchase Order Number:** \_\_\_\_\_

**Previous Ordinance or Resolution #** \_\_\_\_\_

**Change Order Number:** \_\_\_\_\_

**Approval Date:** \_\_\_\_\_

**Original Contract Number:** \_\_\_\_\_

**Comments:**



**MEETING OF DECEMBER 1, 2020**

**TO:** Mayor; Fayetteville City Council

**THRU:** Susan Norton, Chief of Staff  
Garner Stoll, Development Services Director

**FROM:** Jonathan Curth, Development Review Manager

**DATE:** November 13, 2020

**SUBJECT: RZN-2020-000018: Rezone (310 & 325 N. FLETCHER AVE./MCDONALD, 485):**  
Submitted by FLINTLOCK CO., LTD. for property located at 310 & 325 N. FLETCHER AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 0.92 acres. The request is to rezone the property to RSF-8, RESIDENTIAL SINGLE FAMILY, 8 UNITS PER ACRE.

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**RECOMMENDATION:**

City Planning staff and the Planning Commission recommend approval of a request to rezone the subject property as described and shown in the attached Exhibits 'A' and 'B'.

**BACKGROUND:**

The subject property is located east of downtown, on the west slope of Mount Sequoyah at the northeast corner of Fletcher Avenue and Dickson Street. Totalling approximately 0.92 acres, the property includes three parcels along Fletcher. The northernmost parcel is undeveloped while each of the other two include a single-family dwelling. The property includes two built street frontages, Fletcher and Dickson to the west and south, and access to an undeveloped section of Summit Avenue's right-of-way to the east. Although not as significant as other areas of Sequoyah, the terrain on the property slopes downward from east to west at a grade of approximately 15 percent. This combined with the high visibility of the property and geological conditions contribute to it being designated within Hillside-Hilltop Overlay District.

*Request:* The request is to rezone the subject property from RSF-4, Residential Single-family, 4 Units per Acre, to RSF-8, Residential Single-family, 8 Units per Acre. Although specific development details have not been provided, the applicant comments that rezoning the property as requested will allow for single-family construction that is complimentary to the character of the existing neighborhood.

*Public Comment:* Prior to the November 9, 2020 Planning Commission meeting, staff received numerous inquiries about the about the request, but limited statements of explicit opposition or support. Public comment that was received after publication of staff's Planning Commission report is attached. Numerous individuals spoke in opposition to the request at the public hearing, which is summarized below.

*Land Use Compatibility:* Residential land uses adjacent to and near the subject property are diverse. These include detached single-family homes between 1,350 and 7,000-square feet in size, lots widths between 40 and 350 feet wide, lot areas between 1/5<sup>th</sup> of an acre and 1 ½ acres, and housing types ranging from single-family and accessory dwelling units to duplexes and multi-family. Staff's analysis indicates that within 200 feet of the property there are more attached residential dwellings than detached. Although this initially appears to reflect Fletcher's use south of Dickson as a border between multi-family and residential family zoning districts, attached residential can be found on both sides of the street. Given this range of building types and lot sizes, any effort to assert pure land use compatibility by building type and size is difficult at best and arguably inappropriate. Staff finds this variety to be an endorsement of the applicant's request given its allowance for an incremental increase in on-site density that is neither identical nor incompatibly different from surrounding properties. Additionally, the conventional setbacks and three story height maximum of the RSF-8 zoning district promotes a similar pattern of development to the existing zoning and surrounding properties.

*Land Use Plan Analysis:* The proposed zoning is consistent with the Future Land Use Map (FLUM) of City Plan 2040 and the City's adopted land use goals and policies. A Residential Neighborhood Area designation on the FLUM represents a wide mixture of residential uses, and while RSF-8 does not represent this in full, an incremental increase in density allowance affords an opportunity for appropriate infill that can relate well to neighboring properties. Further, staff asserts that additional housing at this location can complement existing transit, leverage nearby amenities, and utilize existing infrastructure to create the potential for attainable housing in the urban core.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a varying score of 5 to 7 for this site. The following elements of the matrix contribute to the score:

- Street Intersection Density
- Near Park (Mount Sequoyah Gardens, Mount Sequoyah Woods, St. Joseph Park)
- Near Grocery Store (Ozark Natural Foods)
- Near Ozark Regional Transit Stop (Route 10)
- Near Razorback Transit (Route 13)
- Near Water Main (Dickson and Fletcher)
- Near Sewer Main (Dickson and Fletcher)

#### **DISCUSSION:**

At the November 9, 2020 Planning Commission meeting, a vote of 8-1-0 forwarded the request to the City Council with a recommendation of approval. Commissioner Hoffman made the motion and Commissioner Winston seconded. Commissioner Garlock dissented, citing concurrence with many of the concerns expressed during public comment. Among those Commissioners that commented in favor, statement was made that maintaining low-density zoning in this area was inherently exclusionary, particularly with higher-density zoning districts being applied to historically lower income and minority neighborhoods to the south. Other Commissioners noted that the property's location within the Hillside-Hilltop Overlay District provides protections not

typically associated with single-family dwelling construction, including higher tree preservation, home construction, and grading standards.

Several residents spoke in opposition to the request. Primary concerns were for the aggravation of existing drainage issues, the potential for increased traffic, and impacts on wildlife. Others noted the narrow condition of Summit Avenue, concern about sanitary sewer capacity, the potential for renters and not home owners, and a disagreement with staff that the property had good connectivity to other portions of the area.

**BUDGET/STAFF IMPACT:**

N/A

**Attachments:**

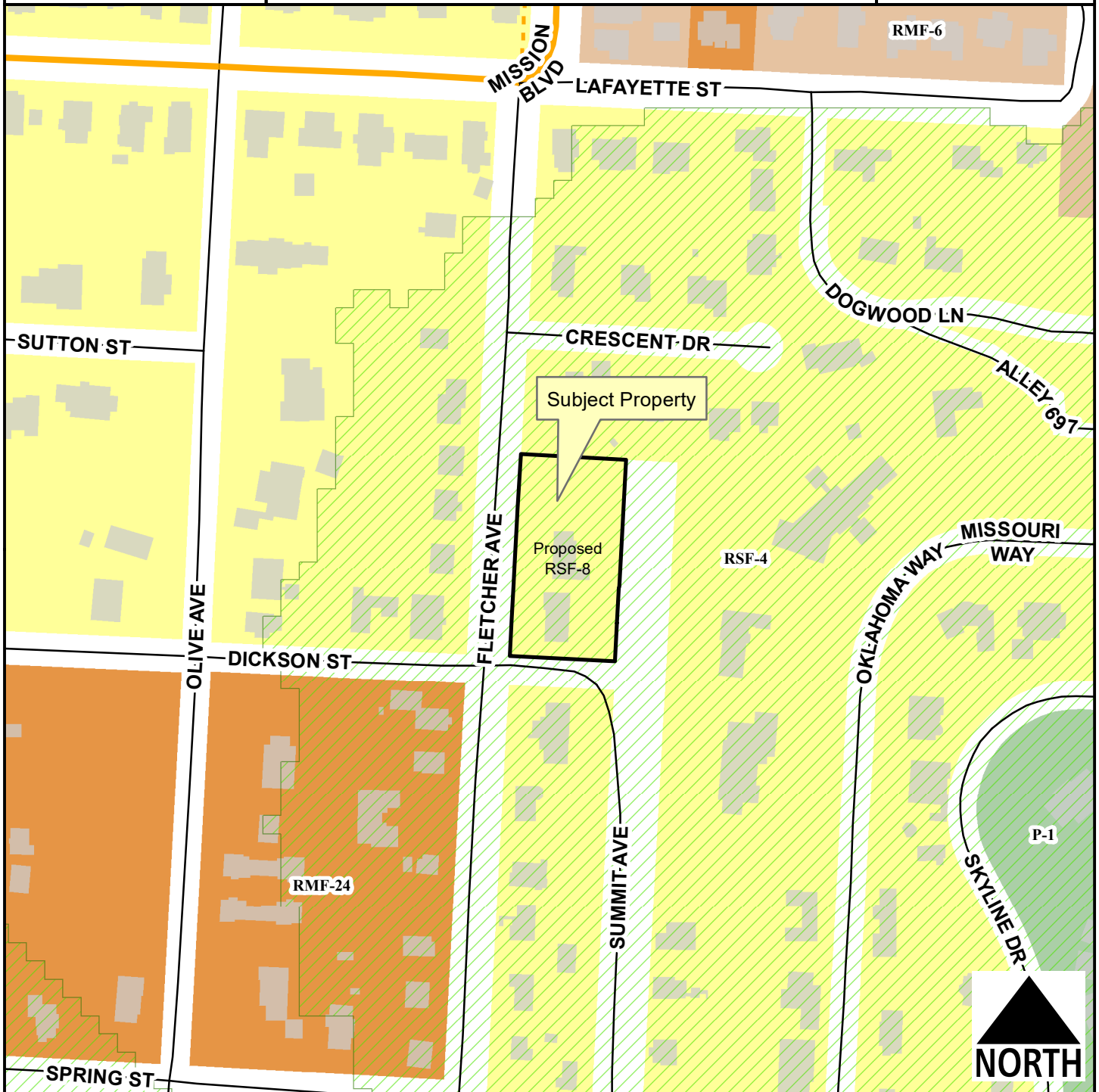
- Exhibit A
- Exhibit B
- Public Comment
- Planning Commission Staff Report

RZN-2020-000018

# McDonald

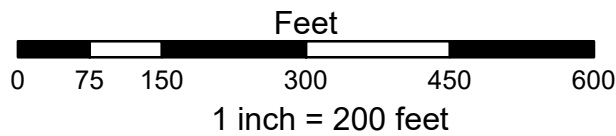
RZN-20-000018  
EXHIBIT 'A'

Close Up View



### Legend

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



Zoning	Acres
RSF-8	0.9
<b>Total</b>	<b>0.9</b>

**RZN-20-000018**  
**EXHIBIT 'B'**

310 N FLETCHER AVE (765-08266-000): S 49 FT LOT 6 N 55 FT LOT 7 BLOCK 3

326 N FLETCHER AVE (765-08265-000): S 62 FT LOT 5 N 26 FT LOT 6 BLOCK 3

(765-08264-000): LOT 4 N 13 FT LOT 5 BLOCK 3

Memo:

To: Jonathan Curth

From: John Crone

RE: Rezoning of three lots at 310 Fletcher Ave.

Thank you for the information suggesting it is possible to put two dwellings on a 50' lot under the Fayetteville Codes. I assume this means that the proposed zoning request could result in from 7 to 14 tall, thin units on the .86-acre site under review.

My main concern is that the planning process be transparent and accurate, so that the public has a chance to respond and there are statements in the Flintlock letter that are part of the planning review document, that appear inaccurate. Examples follow.

"The zoning change request will bring the property's development pattern into alignment with the pattern of development that yielded the current neighborhood character." Then in a paragraph below "Additionally, the three adjacent parcels are across the street from a Residential Multi-family-24 units/acre zone and the proposed zoning request would provide a more graceful transition between the two widely different zones that currently abut it on either side."

In reality, it appears that zoning across the site in question is clearly RSF-4 on the on-line City zoning map (on both sides of Fletcher Ave.) and the "transition" mentioned for the proposal is more of an incursion into the present fabric of the RSF 4 neighborhood. The site is bracketed or surrounded by private residences on ¼-acre lots on both sides of the street. The fact that several duplexes are across from the site does not change the RSF-4 designation.

The statement that "The proposed zoning will still limit the use to only single-family homes, as the current zoning does but at a **density and character that is specifically modeled after the pattern of the neighbor's homes.**" is clearly erroneous. They are all one-story and some with basements on quarter-acre lots or duplexes.

The letter concludes with the statement that the development will provide "attainable housing." Dwellings that will cost over \$300,000 do not fall under the current definition of attainable housing. Thank you for any clarification you can provide.

John V. Crone

(Zoning map on next page)





We are writing to express our opposition to the proposed re-zoning proposal to increase these properties from 4 units to 8 units per acre. Our property is on Crescent Drive. The comprehensive plan was altered in the 1970s to allow for larger properties with single family homes for a reason. It has since defined the character of the neighborhood, and nothing has occurred in the interim to merit altering the plan.

Packing more people into smaller parcels will set a precedent that will drastically alter the overall feel of the existing neighborhood. Parking will be an issue, green space will be reduced, and traffic will be increased. Flintlock's claim in their letter to homeowners to "provide quality single family housing... in the character of the existing neighborhood" is simply not true. Doubling the population density in a neighborhood zoned for 4 units per acre for almost 50 years neither will increase quality of housing nor does it match the character of the neighborhood. Flintlock goes on to make the outstanding claim that this re-zoning will "improve the overall aesthetics and sense of community within the area." There is no possible way they can know this. The proposal could just as easily be the first step toward turning the area into a ghetto full of slum-lord housing in the long run. Not to mention there is absolutely nothing wrong with the sense of community here that needs to be improved upon in the first place. We like our bigger lots with smaller density. Period.

Please consider these arguments when discussing the proposal. Thank you for your time.

Best Regards,

Case Miner and Robyn Goforth



**TO:** Fayetteville Planning Commission

**THRU:** Jonathan Curth, Development Review Manager

**MEETING DATE:** November 9, 2020 (Updated with Planning Commission Results)

**SUBJECT:** **RZN-2020-000018: Rezone (310 & 325 N. FLETCHER AVE./MCDONALD, 485):** Submitted by FLINTLOCK CO., LTD. for property located at 310 & 325 N. FLETCHER AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 0.92 acres. The request is to rezone the property to RSF-8, RESIDENTIAL SINGLE FAMILY, 8 UNITS PER ACRE.

**RECOMMENDATION:**

Staff recommends forwarding **RZN-2020-000018** to the City Council with a recommendation of approval.

**RECOMMENDED MOTION:**

“I move to forward **RZN-2020-000018** to the City Council with a recommendation of approval.”

**BACKGROUND:**

The subject property is located east of downtown, on the west slope of Mount Sequoyah at the northeast corner of Fletcher Avenue and Dickson Street. Totalling approximately 0.92 acres, the property includes three parcels along Fletcher. The northernmost parcel is undeveloped while each of the other two include a single-family dwelling. The property includes two improved street frontages, Fletcher and Dickson to the west and south, and access to an undeveloped section of Summit Avenue’s right-of-way to the east. Although not as significant as other areas of Sequoyah, the terrain the property slopes downward from east to west at a grade of approximately 15 percent. This combined with the high visibility of the property and geological conditions contribute to it being designated within Hillside-Hilltop Overlay District. 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	Single-family Residential	RSF-4, Residential Single-family, 4 Units per Acre
South	Single-family Residential	RSF-4, Residential Single-family, 4 Units per Acre
East	Single-family Residential	RSF-4, Residential Single-family, 4 Units per Acre
West	Single-family Residential; 2-family Residential	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 RSF-8, Residential Single-family, 8 Units per Acre. Although specific development details have not been provided, the applicant comments that rezoning the property as requested will allow for single-family construction that is complimentary to the character of the existing neighborhood.

*Public Comment:* Staff has received numerous inquiries and statements of concern about the about the request, but limited statements of explicit opposition or support. .

## **INFRASTRUCTURE:**

**Streets:** The property has frontage along North Fletcher Avenue and East Dickson Street, both of which are designated as Residential Link streets. Fletcher is fully-improved with asphalt paving, curb and gutter, and sidewalk. Dickson is not fully improved, totaling approximately 18 feet of paved width and lacking both curb and gutter, and sidewalks. The need for street improvements will be evaluated at the time of development.

**Water:** Public water is available to the site. Existing 2-inch and 10-inch water mains are present along the east side of Fletcher. Additionally, an existing 8-inch water main is located along the south side of Dickson.

**Sewer:** Public sanitary sewer is available to the overall site, but not to each parcel. An existing sanitary sewer main is west of Fletcher along the northernmost parcel's street frontage and a 6-inch sanitary sewer main is located in Dickson along the southernmost parcel.

**Drainage:** No portion of the subject property lies within a FEMA designated 100-year floodplain or a Streamside Protection Zone. Similarly, no hydric soils are present. However, and as noted above, the entirety of the property is within the Hillside-Hilltop Overlay District. Improvements or requirements for drainage would be determined at the time of development.

**Fire:** The property will be protected by Station 1, located at 303 W. Center Street. The property is one mile from the fire station with an anticipated drive time of approximately four minutes using existing streets. The anticipated response time would be 6.2 minutes, calculated based on drive time, one minute for dispatch, and 1.2 minutes for turn-out. This is not within the response time goal of six minutes for an engine but is within the response time goal of eight 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 2040 Future Land Use Plan designates the property as **Residential Neighborhood Area**.*

**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 Areas encourage 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.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a score range between **5 and 7** out of 12 for the subject property. Per the Planning Commission's Infill Matrix weighting, this represents a score of **11** out of 17. The following elements of the matrix contribute to the score:

- Intersection Density
- Near Park (Mount Sequoyah Gardens, Mount Sequoyah Woods, St. Joseph Park)
- Near Grocery Store (Ozark Natural Foods)
- Near Ozark Regional Transit Stop (Route 10)
- Near Razorback Transit (Route 13)
- Near Water Main (Dickson and Fletcher)
- Near Sewer Main (Dickson and Fletcher)

## 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:* Residential land uses adjacent to and near the subject property are diverse. These include detached single-family homes between 1,350 and 7,000-square feet in size, lots widths between 40 and 350 feet wide, lot areas between 1/5<sup>th</sup> of an acre and 1 ½ acres, and housing types ranging from single-family and accessory dwelling units to duplexes and multi-family. Within 200 feet of the property there are more attached residential dwellings than detached. Although this initially appears to be a reflection of Fletcher's use as a border between multi-family and residential family zoning districts, attached residential can be found on both sides of the street. Given this range of building types and lot sizes, any effort to assert pure land use compatibility by building type and size is difficult at best. Staff finds this variety to be an endorsement of the applicant's request given its allowance for an incremental increase in on-site density that is neither identical nor incompatibly different from surrounding properties. Additionally, the conventional setbacks and three story height maximum of the RSF-8 zoning district promote a similar pattern of development to the existing zoning and surrounding properties.

*Land Use Plan Analysis:* The proposed zoning is consistent with the Future Land Use Map (FLUM) of City Plan 2040 and the City's adopted land use goals and policies. A Residential Neighborhood Area designation on the FLUM represents a wide mixture of residential uses, and while RSF-8 does not represent this in full, an incremental increase in density allowance affords an opportunity for appropriate infill that can relate well to neighboring properties. Further, staff asserts that additional housing at this location can complement existing transit, leverage nearby amenities, and utilize existing infrastructure to create the potential for attainable housing in the urban core.

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

**Finding:** Staff finds that the proposed zoning is justified, with the request addressing both long-range plans and historic development patterns in the area.

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

**Finding:** Currently, Police Department records do not suggest a dangerous traffic condition along Dickson and Fletcher adjacent to the subject property. Between 2015 and 2018, three accidents occurred near this property, and none of which were classified as incapacitating or fatal. Similarly, staff does not find the proposal to create a traffic danger or likelihood for congestion. With direct access to two streets, albeit not fully-improved in Dickson's case, development on the property can utilize the established grid and associated connectivity in the area to disperse vehicle traffic effectively, rather than concentrating it on one or two streets with negative results.

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

**Finding:** The proposed rezoning is likely to increase potential population density over the current multi-family zoning. Despite this, staff does not find there to be the potential for adverse impacts. This assessment is based on the property's immediate access to adequate water, sewer, and Fayetteville School District not expressing concern or submitting comment.

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-2020-000018 to the City Council with a recommendation of approval.

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<b>PLANNING COMMISSION ACTION:</b> Required <u>YES</u>
<b>Date:</b> <u>November 9, 2020</u> <input type="checkbox"/> Tabled <input checked="" type="checkbox"/> Forwarded <input type="checkbox"/> Denied
<b>Motion:</b> Hoffman, recommending approval
<b>Second:</b> Winston
<b>Vote:</b> 8-1-0, Garlock dissenting

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**BUDGET/STAFF IMPACT:**

None

**Attachments:**

- Unified Development Code:
  - §161.07 – RSF-4, Residential Single-family, 4 Units per Acre
  - §161.09 – RSF-8, Residential Single-family, 8 Units per Acre
- Request letter
- Public Comment
- 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. Accessory ground mounted solar energy systems shall not be considered buildings.

(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; [Ord. No. 6245](#), §2, 10-15-19)



**161.09 - District RSF-8, Residential Single-Family - Eight (8) Units Per Acre**

(A) *Purpose.* The RSF-8 Residential District is designed to bring historic platted development into conformity and to allow for the development of new single family residential areas with similar lot size, density, and land use as the historical neighborhoods in the downtown area.

(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.*

	By Right
Single-family dwelling units per acre	8 or less

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Single-family	50 feet
Two (2) family	50 feet
Townhouse, no more than two (2) attached	25 feet

(2) *Lot Area Minimum.*

Single-family	5,000 square feet
Two-family	5,000 square feet

(3) *Land Area Per Dwelling Unit.*

Single-family	5,000 square feet
Two-family	5,000 square feet
Townhouse, no more than two (2) attached	2,500 square feet

(E) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	5 feet

(F) *Height Regulations.*

Building Height Maximum	3 stories
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(G) *Building Area.* The area occupied by all buildings shall not exceed 50% of the total lot area, except when a detached garage exists or is proposed; then the area occupied by all buildings shall not exceed 60% of the total lot area. Accessory ground mounted solar energy systems shall not be considered buildings.

(Ord. No. 4783, 10-18-05; 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; [Ord. No. 6245](#), §2, 10-15-19)

RZN-2020-000018

## Request Letter

**flintlock**  
ARCHITECTURE & LANDSCAPE

September 29, 2020

### **PETITION TO CHANGE ZONING OF 3 ADJACENT LOTS**

TO: The Fayetteville City Planning Commission & The Fayetteville City Council

Flintlock Development, LLC requests that the zoning designation of the following lots (parcels 765-08264-000, 765-08265-000 and 765-08266-000) be changed from Residential Single-family – 4 units/acre to Residential Single-family – 8 units/acre:

- 310 N FLETCHER AVE (765-08266-000): S 49 FT LOT 6 N 55 FT LOT 7 BLOCK 3
- 326 N FLETCHER AVE (765-08265-000): S 62 FT LOT 5 N 26 FT LOT 6 BLOCK 3
- (765-08264-000): LOT 4 N 13 FT LOT 5 BLOCK 3

#### **REASON FOR ZONING CHANGE REQUEST / STATEMENT OF NEED:**

The zoning change request will bring the property's development pattern into alignment with the pattern of development that yielded the current neighborhood character. The RSF-8 zoning district was designed explicitly by the city to reflect the development pattern and uses of the historic districts of Fayetteville (where this property sits), while the RSF-4 district was implemented in the 1970s to reduce access to affordable housing and make large houses on large lots the standard (according to Planning Commission notes of the meeting at which the city was zoned with this new, experimental, non-traditional town form pattern). The RSF-4 district has contributed significantly to urban sprawl in Fayetteville since its implementation in the 1970s and has made it illegal to build in the development pattern and density of the historic districts in the intervening years. It has also increased housing costs, requiring much more land per home than our beloved historic neighborhoods did. With this re-zoning, we hope to be able to provide quality single-family housing that aligns with the character of the existing neighborhood. We also hope to improve the overall aesthetics and sense of community within the area.

Additionally, the three adjacent parcels are across the street from a Residential Multi-family – 24 units/acre zone, and the proposed zoning request would provide a more graceful transition between the two widely different zones that current about it on either side.

#### **IMPACT ON NEIGHBORS & CITY:**

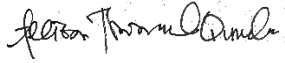
The requested zoning change will minimally impact the surrounding properties in terms of land use, traffic, appearance, and signage. It is not expected to increase traffic danger or congestion. Water and Sewer are available in adequate quantities adjacent to the sites. The proposed zoning will still limit the use to only single family homes, as the current zoning does, but at a density and character that is specifically modeled after the pattern of the neighbor's homes.

#### **CONSISTENT WITH LAND USE PLANS:**

It is our opinion that the proposed zoning change is entirely consistent with both land use planning objectives, principles, and policies and is consistent with the history of the site and neighborhood. The rezoning will allow the

property to be developed directly in line with the City's goals to "make appropriate infill...our highest priority," "make traditional town form the standard," and "create attainable housing."

Respectfully,  
FLINTLOCK LTD CO

A handwritten signature in black ink, appearing to read "Allison Thurmond Quinlan".

Allison Thurmond Quinlan  
AIA RLA LEED AP  
Principal Architect

**Public Comment**

## REQUEST FOR ZONING CHANGE: 310 AND 326 FLETCHER AVENUE

At the end of September 2020, Flintlock Architects & Landscape sent out a letter to neighborhood residents around a .86 acre 3-parcel property located on the northeast corner of Dickson Street at Fletcher Avenue on historic Mount Sequoyah and inside the City of Fayetteville's Hillside Overlay District. This letter notified the owners of properties adjacent the 3 parcels (I am one) that Flintlock is requesting the Fayetteville City Planning Commission and the City Council to re-zone the three parcels from Residential Single-Family 4 Units per Acre to Residential Single-Family 8 Units per Acre.

The rationale from Flintlock was that RSF-4 was implemented to reduce access to affordable housing and contributed to Urban sprawl and that RSF-8 can result in single-family housing that is in the character of the existing neighborhood.

I am a resident of this neighborhood, a landscape architect, and professor emeritus of the UA School of Architecture with over 40 years here and abroad of practice and teaching experience in regional planning, site planning and housing. I have several observations regarding this re-zoning request.

First, City of Fayetteville Infill Development Goals suggest:

- Evaluate and recommend modifications to zoning districts to promote **context sensitivity**, including allowed uses, setbacks, building mass and lot coverage.
- Evaluate development design standards for **context sensitivity**. Evaluate development thresholds based on metrics such as building form, not type.
- Create approved building types for identified neighborhoods.

Furthermore, the whole issue of context sensitivity is addressed in the City's Hillside Overlay zoning documents and makes recommendations to address neighborhood context, so it is important to define the historical context of the neighborhood where several of us live.

Originally, the area was platted with narrow 50' lots and people bought from one to three lots to build houses of various sizes on and along Fletcher Avenue. Over time some became duplexes and even more dense apartments. **So, the character of the street may be defined as a variety of both rental**

**housing and single-family dwellings characterized by different sizes, heights, and setbacks integrated by a mature tree canopy and mature shrubbery.** In other words, the neighborhood context is not a zone of narrow houses on narrow lots



Top: Picture of current site indicating high visibility and mature tree cover of Mt Sequoyah

Bottom: Is this context sensitive to Fletcher Ave. and the Mt Sequoyah Hillside Overlay?



Below on this page are several examples of Fletcher Avenue's original, narrow-lot houses and an 8-unit rental infill that is context sensitive to the neighborhood and in keeping with the Fayetteville Hillside Overlay guidelines. Notice how the addition to the single narrow-lot house sited on two narrow lots--in which my family lives--is built down into the site with the tall addition down-hill away from the Fletcher Avenuet front



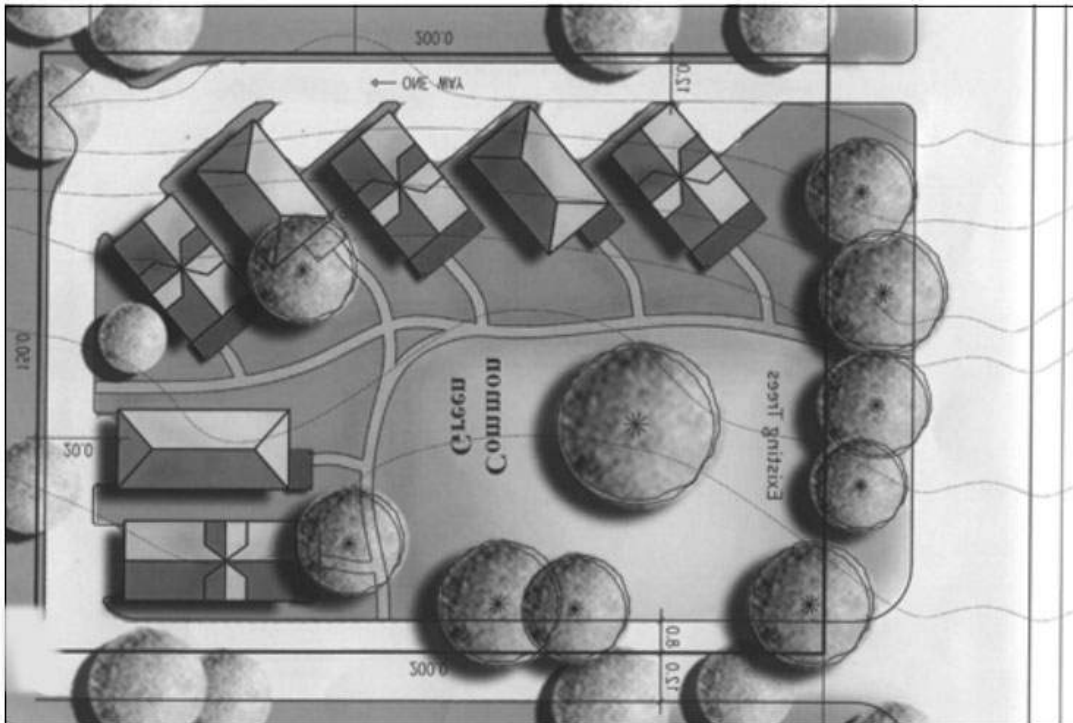
Top left: My 1930's house is on two narrow lots and the tall addition is down-hill in keeping with the Hillside Overlay documents.

Top right: Notice how these original narrow-lot houses were built into the hillside with basements to minimize height.

Left picture: This 8-plex next to my rental house (above) is in character with the neighborhood with dark colors and extensive planting. It is, setback around a courtyard, Major old trees have been retained.. This is adjacent a Bird Sanctuary zone.

This raises the issue of placing zoning density before addressing building type, size and scale and neighborhood context. It is possible to achieve 8 du per acre--while in keeping with the Mt Sequoyah Overlay guidelines—by using a more flexible approach.

Below is an example of a 2/3-acre development that achieves 8 du per acre and gives something back to the neighborhood in visible green-space that can also be accessed by the owners and provide for stormwater runoff. The actual site on Fletcher is larger.



### Filling in the Spaces: Ten Essentials for Successful Urban Infill Housing



Above site sketch modified after illustration in

Filling in the Spaces as shown on left. Note context sensitive design in cover photo

Pdf document is attached to this email



Conclusion:

I feel there is a way to achieve 8 du or less which would satisfy Flintlock--acting on behalf of the owner--which is context sensitive and a win-win for the developer and the citizens of this Fayetteville neighborhood. In my professional opinion it would be prudent for Flintlock to investigate other avenues of development that allow for context sensitive design that is profitable and a boon to Mt Sequoyah residents. The decision to simply pass the Planning Commission and the City Council request for re-zoning of the three parcels in question from Residential Single-Family 4 Units per Acre to Residential Single-Family 8 Units per Acre may well result in a product not in keeping with the City of Fayetteville's own Hillside Overlay guidelines or long-term goals nor in the interest of the residents of this Mt Sequoyah neighborhood, who have been most vocal about their disdain of this zoning request.

The statement from Flintlock, "The proposed zoning will still limit the use to only single family homes, as the current zoning does, **but at a density and character that is specifically modeled after the pattern of the neighbor's homes**" is not exactly accurate and we would ask the Planning Department to consider alternatives. How affordable are homes that will sell for over \$300,000?

!

Sincerely,

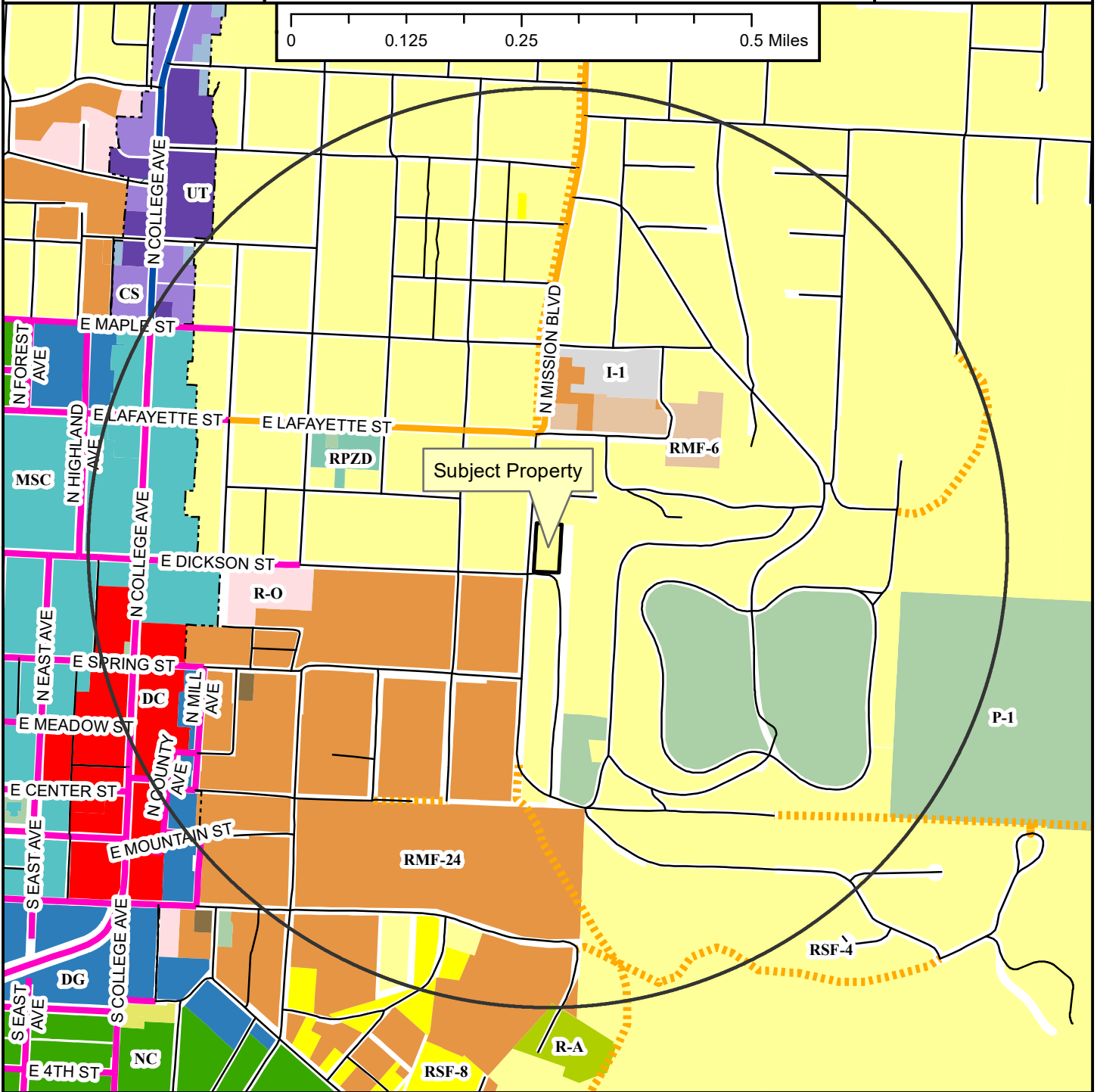
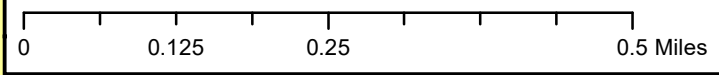
John V. Crone

Landscape Architect

RZN-2020-000018

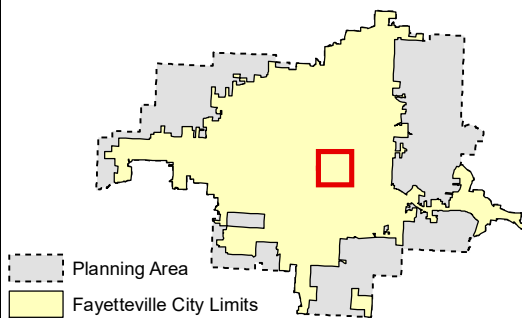
# McDonald

One Mile View



## Legend

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

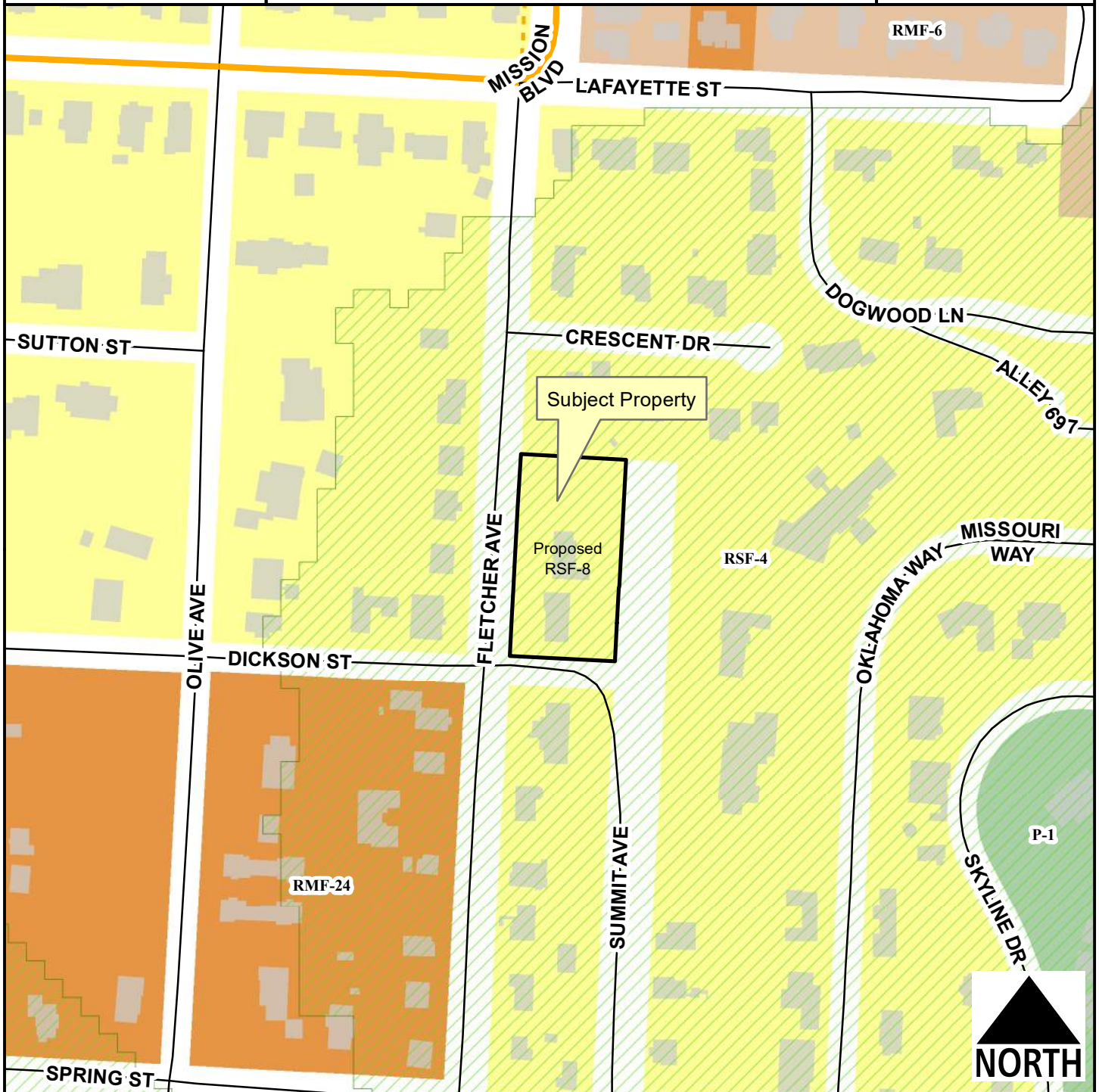


- Zoning**
- RESIDENTIAL SINGLE-FAMILY**
  - NS-G
  - RH-U
  - RH-12
  - NS-L
  - Residential-Agricultural
  - RSF-5
  - RSF-1
  - RSF-2
  - RSF-4
  - RSF-7
  - RSF-8
  - RSF-18
- RESIDENTIAL MULTI-FAMILY**
  - RMF-6
  - RMF-12
  - RMF-18
  - RMF-24
  - RMF-40
- INDUSTRIAL**
  - I-1 Heavy Commercial and Light Industrial
  - I-2 General Industrial
- EXTRACTION**
  - E-1
- COMMERCIAL**
  - C-1 Residential-Office
  - 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






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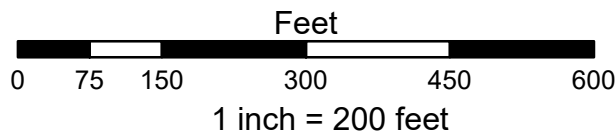
# McDonald

Close Up View



### Legend

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



### Zoning Acres

RSF-8 0.9

**Total 0.9**





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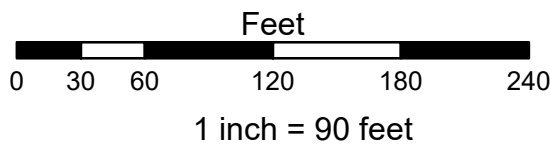
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Current Land Use



-  Planning Area
-  Fayetteville City Limits



### FEMA Flood Hazard Data

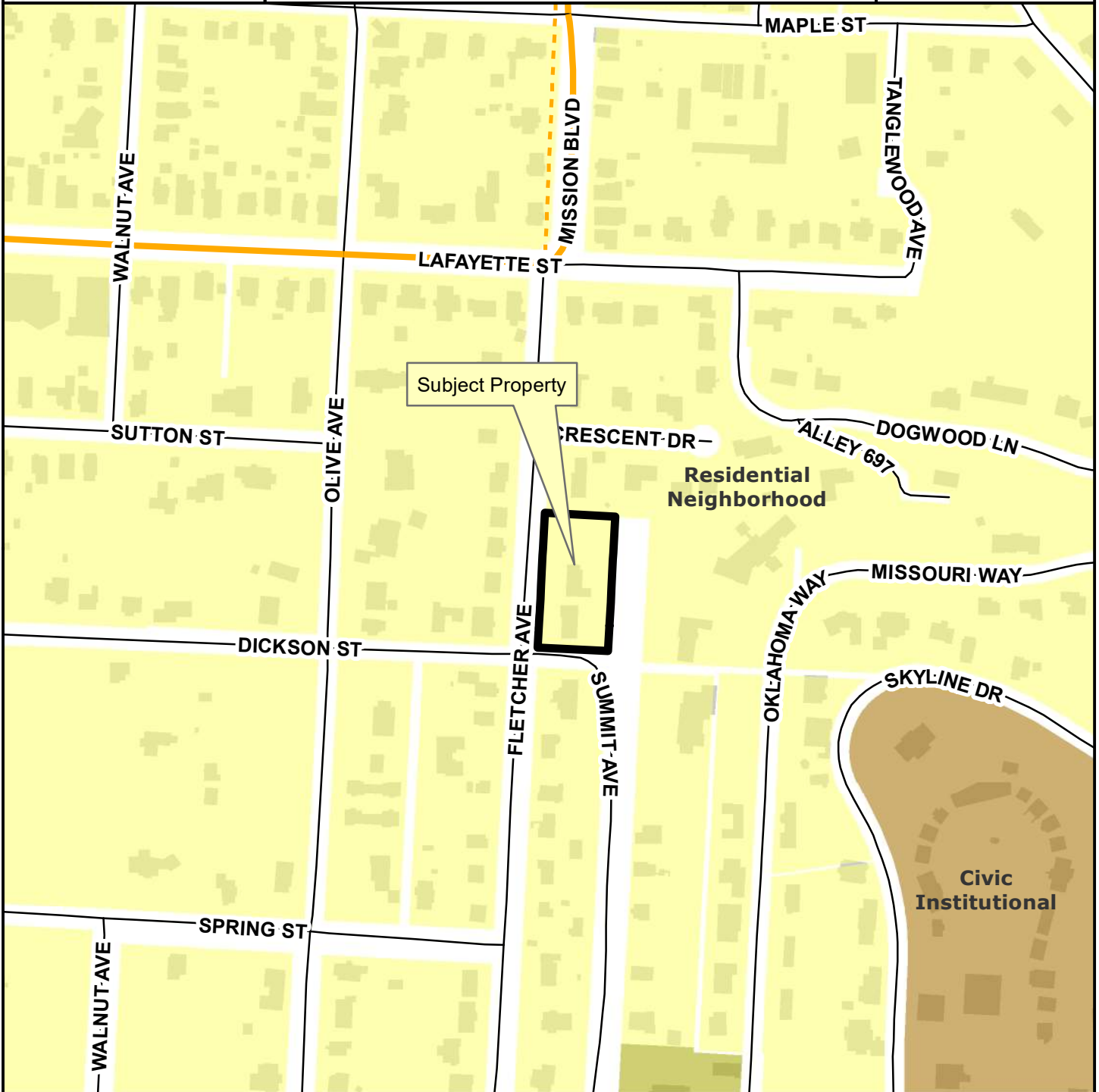
-  100-Year Floodplain
-  Floodway

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# McDonald

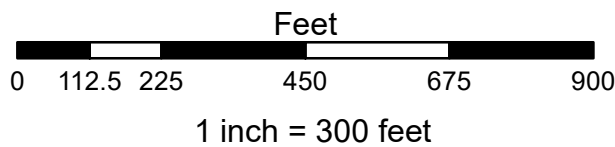


Future Land Use



## Legend

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



- City Neighborhood
- Civic Institutional
- Civic and Private Open Space
- Industrial
- Natural
- Non-Municipal Government
- Residential Neighborhood
- Rural Residential
- Urban Center