

City of Fayetteville Staff Review Form

2021-0473

Legistar File ID

7/6/2021

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

Jonathan Curth

6/18/2021

DEVELOPMENT REVIEW (630)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

RZN-2021-000045: Rezone (S.E. OF S. RAY AVE./JCC ENTERPRISES, 565): Submitted by JOHN CLOYED for properties located S.E. OF S. RAY AVE. The properties are zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE, I-1, HEAVY COMMERCIAL AND LIGHT INDUSTRIAL and R-A, RESIDENTIAL-AGRICULTURAL and contain approximately 7.00 acres. The request is to rezone the properties to R-A, RESIDENTIAL AGRICULTURAL.

Budget Impact:

| Account Number | | Fund | |
|-----------------------------|----|-------------------|------|
| Project Number | | Project Title | |
| Budgeted Item? | No | Current Budget | \$ - |
| | | Funds Obligated | \$ - |
| | | Current Balance | \$ - |
| Does item have a cost? | No | Item Cost | \$ - |
| Budget Adjustment Attached? | No | Budget Adjustment | \$ - |
| | | Remaining Budget | \$ - |

V20210527

Purchase Order Number: _____

Previous Ordinance or Resolution # _____

Change Order Number: _____

Approval Date: _____

Original Contract Number: _____

Comments:



MEETING OF JULY 6, 2021

TO: Mayor; Fayetteville City Council

THRU: Susan Norton, Chief of Staff
Jonathan Curth, Development Services Director
Jessie Masters, Development Review Manager

FROM: Ryan Umberger, Senior Planner

DATE: June 18, 2021

SUBJECT: **RZN-2021-000045: Rezone (S.E. OF S. RAY AVE./JCC ENTERPRISES, 565):**
Submitted by JOHN CLOYED for properties located S.E. OF S. RAY AVE. The properties are zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE, I-2, GENERAL INDUSTRIAL and R-A, RESIDENTIAL-AGRICULTURAL and contain approximately 7.00 acres. The request is to rezone the properties to R-A, RESIDENTIAL AGRICULTURAL.

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 south of S. Ray Avenue, approximately 1,000 feet south of the intersection of S. Ray Avenue and E. Huntsville Road. Of the seven acre overall property, the majority, totaling approximately 6.84 acres is zoned RSF-4, Residential Single-family, 4 Units per Acre. Small portions to the south and west, totaling approximately 0.02 and 0.14 acres, are zoned I-2, General Industrial, and R-A, Residential-Agricultural respectively. Based on aerial imagery the property has remained largely undeveloped since it was incorporated into city limits in the mid-1960s. The West Fork White River within the Beaver Lake watershed roughly follows the southern boundary of the site. The associated floodplain impacts over two acres of the overall property. Further encumbering the property are two major sanitary mains and their associated easement that runs southwest-northeast

Request: The request is to rezone the entire property from RSF-4, Residential Single-family, 4 Units per Acre to R-A, Residential Agricultural. The applicant described plans to restore and preserve the habitat and conserve the environment for wildlife. They also wish to establish housing and grazing space for goats and horses.

Public Comment: Staff has not received any public comment.

Land Use Compatibility: The proposed zoning is generally compatible with the surrounding land use pattern of the area. There is a broad mixture of uses immediately adjacent to the subject

property and further afield, including offices, single- and two-family residences, light manufacturing, storage overflow from a recycling facility, and pastureland across the river. Staff finds the uses allowed under the R-A zoning district pose limited potential for adverse impacts to these neighboring properties. Public facilities and agricultural uses would be allowed under the proposed rezoning, along with low-density residential. One of the uses representing the greatest potential for incompatibility, an animal boarding facility, allows the Planning Commission to require buffering for non-residential uses adjoining residences. Further, aerial imagery suggests that the property has been used agriculturally for much of the 1990s and 2000s. Finally, the application of the current zoning near floodplain and floodway is not conducive to protecting both future residents and the riparian corridor. Lacking an open space zoning tool, the R-A zoning district has served the function of limiting development in floodplains to a degree that is appropriate to its sensitive nature. Rezoning to R-A will provide additional use allowances that are not offered by-right in RSF-4 zoning.

Land Use Plan Analysis: Staff finds the proposed R-A zoning to be partially compatible with the Future Land Use Map. Specifically, the request is consistent with the portion of the subject property designated as a Natural Area. As noted above, without an open space zoning designation staff and the Planning Commission have previously recommended application of the R-A zoning district to sensitive environmental areas, particularly along riparian corridors, where the district's low-density allowance dis-incentivizes development. The applicant's request also aligns with City Plan 2040's goal to assemble an Enduring Green Network, with the entirety of the property designated as such.

Conversely, the request is not fully consistent with a large part of the property that is designated as a City Neighborhood Area. City Neighborhood Areas typically encourage denser development patterns which starkly contrast the allowances provided by R-A zoning. Rezoning the site will remove significant development potential from multiple acres of property in an area that is somewhat proximate to many employment centers and other services. Nevertheless, staff finds the combination of the site's access features as well as its value as an environmental resource supplant inconsistencies with the future land use map in this case. The area has significant hydrology and vegetation which would likely limit development that is in accord with the goals of the City Neighborhood Area designation.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a mixed score of 3-6 for this site. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station #3, 1050 S. Happy Hollow Road)
- Near Sewer Main (S. Ray Avenue)
- Near Water Main (S. Ray Avenue)
- Near City Park (Doc Mashburn Park)
- Near ORT Bus Stop (Route 20)
- Appropriate Future Land Use (City Neighborhood)

DISCUSSION:

At the June 14, 2021 Planning Commission meeting, a vote of 8-0-0 forwarded the request to City Council with a recommendation of approval. Commissioner Sparkman made the motion and Commissioner Garlock seconded. Commissioners were appreciative of the application's alignment with the Enduring Green Network. Commissioners commented that the requested zoning was consistent with the future land use plans and therefore appropriate. No public comment was offered on the item.

BUDGET/STAFF IMPACT:

N/A

Attachments:

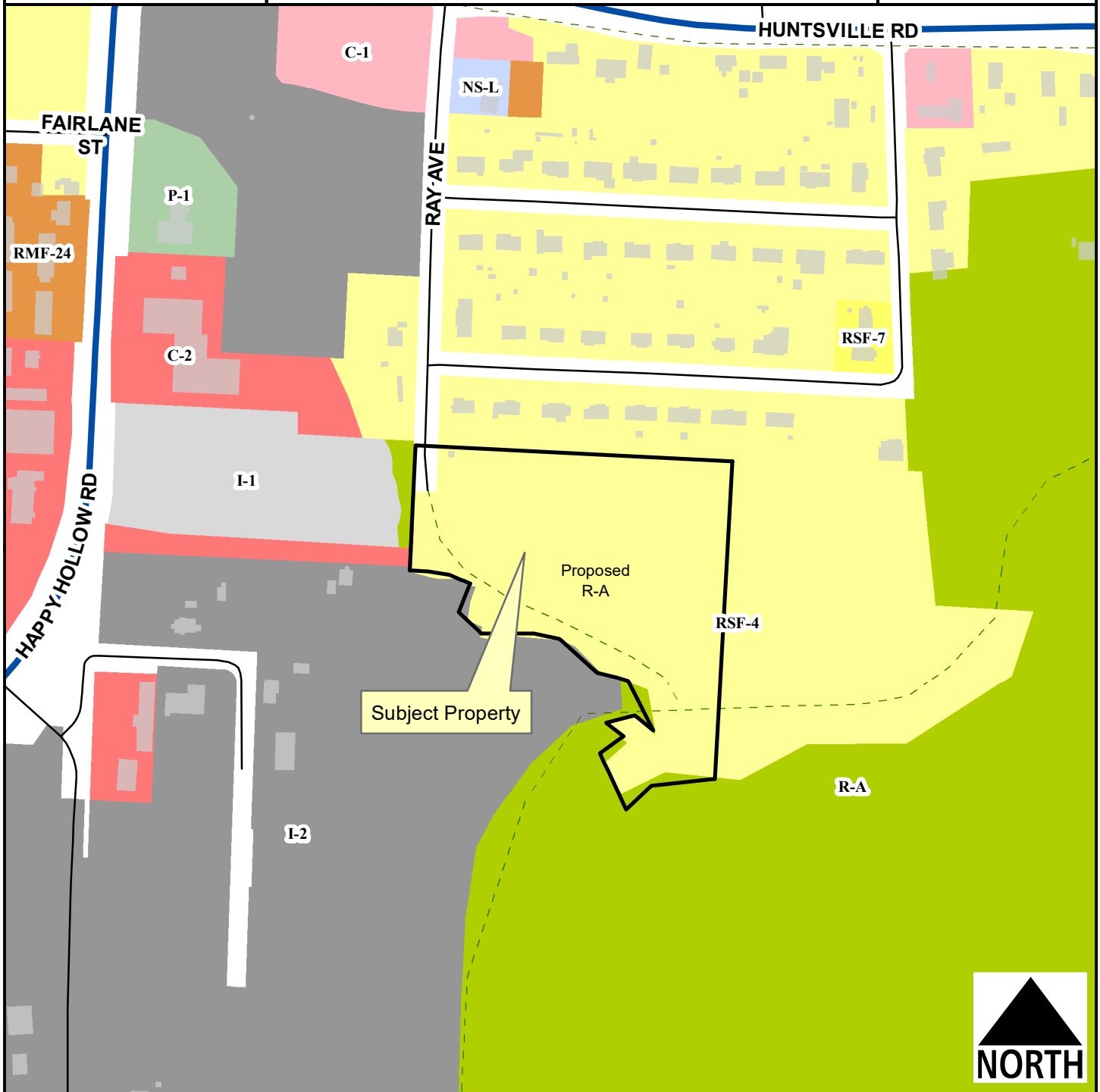
- Exhibit A
- Exhibit B
- Planning Commission Staff Report

RZN-2021-000045

JCC Enterprises

RZN-21-000045
EXHIBIT 'A'

Close Up View



- Regional Link - High Activity
- Trail (Proposed)
- Planning Area
- Fayetteville City Limits

Feet
0 112.5 225 450 675 900
1 inch = 305 feet

| Zoning | Acres |
|--------|-------|
| R-A | 7.1 |
| Total | 7.1 |

RZN-21-000045
EXHIBIT 'B'

Partial Legal

PT E/2 NW 6.40 AC FURTHER DESCRIBED IN 2013-19337 AS: Lot 9, Block 4, of Watson Addition, to the City of Fayetteville, Arkansas, as shown In plat of record in plat book 1 at page 220, plat records of Washington County, Arkansas and part of the E1/2 of the SE 1/4 of the NW1/4 and a part of the SW1/4 of the NE 1/4 all being in Section 23, T-16-N, R-30-W, Washington County, Arkansas all together being more particularly described as follows: Commencing at the SW corner of said E 1/2 of the SE 1/4 of the NW 1/4; thence N00°14'44" W, along the West line of said E 1/2 of the SE 1/4 of the NW 1/4 879.11 feet to the point of beginning, said point being a set Iron; thence N00°14'44" W 262.08 feet to a set Iron; thence N89°47'34" E, along the South line of Block 4 of said Watson Addition 789.34 feet, to a found Iron at the SW corner of Lot 9 of said Block 4; thence N 00°00'07" W 149.89 feet to a found Iron at the NW corner of Lot 9 of said Block 4; thence N89°45'57" E 92.00 feet to a set iron at the NE corner of Lot 9 of said Block 4; thence S 00°00'07" E 149.89 feet to the SE corner of Lot 9, Block 4; thence N 89°47'34" E 175.48 feet; thence S 08°30'03" E 282.38 feet to a found Iron pin; thence S 89°30'49" E 191.36 feet to a point on the centerline of the White River from which a reference iron bears N 89°30'49" W 110.00 feet; thence along said centerline of the White River the following bearings and distances; S 00°13'01" W 113.74 feet, thence S 49°55'40" W 166.83 feet; thence S 49°27'11" W 209.37 feet; thence S 84°55'32" W 352.68 feet; thence S 80°41'32" W 122.09 feet, thence S 43°13'42" W 72.25 feet to the intersection of the White River and an existing creek; thence along the centerline of said creek the following bearings and distances: N 28°17'53" W 130.44 feet, thence N 51°42'07" E 61.87 feet, thence N 56°17'57" W 46.44 feet, thence N 72°47'55" E 62.55 feet, thence S 53°34'14" E 49.42 feet, thence N 29°55'35" W 116.85feet, thence N 78°14'52" W 67.27 feet, thence N 51°13'32" W 106.12 feet, thence N 81°41'04" W 54.22 feet, thence S 87°14'26" W 110.83 feet, thence N 49°47'54" W 64.87 feet, thence N 19°22'31" E 64.44 feet, thence N 69°58'16" W 46.82 feet, thence N 84°11'16" W 46.14 feet, to the Intersection of said creek with the centerline of an existing gravel road; thence N 89°30'49" W 38.68 feet to the point of beginning, containing 14.54 acres, more or less, Washington County, Arkansas. LESS & EXCEPT THAT PART OF ABOVE DESCRIPTION LOCATED IN WATSON ADDITION ALSO LESS & EXCEPT THAT PART LOCATED IN SW 1/4 OF THE NE 1/4



TO: City of Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Ryan Umberger, Senior Planner

MEETING DATE: June 14, 2021 **Updated with Planning Commission Results**

SUBJECT: **RZN-2021-000045: Rezone (S.E. OF S. RAY AVE./JCC ENTERPRISES, 565):** Submitted by JOHN CLOYED for properties located S.E. OF S. RAY AVE. The properties are zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contain approximately 7.00 acres. The request is to rezone the properties to R-A, RESIDENTIAL AGRICULTURAL.

RECOMMENDATION:

Staff recommends forwarding **RZN-2021-000045** to the City Council with a recommendation of approval.

RECOMMENDED MOTION:

"I move to forward **RZN-2021-000045** to the City Council with a recommendation of approval."

BACKGROUND:

The subject property is located south of S. Ray Avenue, approximately 1,000 feet south of the intersection of S. Ray Avenue and E. Huntsville Road. The property is zoned mostly RSF-4, Residential Single-family, 4 Units per Acre with a small portion on the south end zoned R-A, Residential Agricultural. City zoning records indicate that the property has retained this split-zoned status since 1970. Based on aerial imagery the property has remained largely undeveloped since it was incorporated into city limits in the mid-1960s. The West Fork White River and Beaver Reservoir watershed roughly follow the south and west borders the property, respectively. The associated floodplain of the two streams encumbers over two acres of the overall site. Surrounding land uses and zoning is depicted in *Table 1*.

Table 1
Surrounding Land Use and Zoning

| Direction | Land Use | Zoning |
|-----------|--------------------------------|--|
| North | Single-family Residential | RSF-4, Residential Single-family, 4 Units per Acre |
| South | Undeveloped; Recycling Storage | R-A, Residential Agricultural; I-2, General Industrial |
| East | Single-family Residential | RSF-4, Residential Single-family, 4 Units per Acre |
| West | Office; Undeveloped | I-1, Heavy Commercial and Light Industrial; I-2, General Industrial; C-2, Thoroughfare Commercial, R-A, Residential Agricultural |

Request: The request is to rezone the entire property from RSF-4, Residential Single-family, 4 Units per Acre to R-A, Residential Agricultural. The applicant described plans to restore and preserve the habitat and conserve the environment for wildlife. They also wish to establish housing and grazing space for goats and horses.

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

INFRASTRUCTURE:

Streets: The subject area has frontage along South Ray Avenue. South Ray Avenue is an unimproved Residential Link Street with no paving and open ditches. Any street improvements required in these areas would be determined at the time of development proposal.

Water: Public water is not available to the subject area.

Sewer: Sanitary Sewer is not available to the subject area.

Drainage: A portion of the subject area is within the Hillside Hilltop Overlay District (HHOD), FEMA floodplain, and a protected stream is present in the area. The presence of the HHOD will apply additional restrictions at the time of development. Engineered footing designs will be required at the time of building permit submittal, as well as grading, erosion control and abbreviated tree preservation plans. The portion of the subject area within the FEMA floodplain will necessitate the need for a floodplain development review at the time of permit or plan submittal. This will restrict the type of development and impact allowed in flood zones; and may require additional documentation such as flood studies or elevation certificates depending on the type of development. If a development impacts a floodplain, those impacts may require review and approval from FEMA. The floodplain is in the southeast portion of the subject property. A protected stream is present in the subject area. Streamside Protection Zones generally consist of a protected area on each side of a stream or creek. This protected area is meant to preserve woody vegetation and natural areas along stream corridors to improve/protect stream health. At a minimum, the protected area will be 50 feet wide as measured from the top of bank but, depending on the shape and extent of the floodway, it could be substantially more. Certain construction activities such as trails and some utilities are allowed in these zones, but in general, improvements such as parking lots or buildings are prohibited. The Streamside Protection Area is in the southeast portion of the subject property. No hydric soils are present in the subject area. Any additional improvements or requirements for drainage will be determined at time of development.

Fire: The site will be protected by Station 3, located at 1050 S. Happy Hollow Road, which is approximately 0.3 miles from the subject property. The anticipated response time would be approximately 3.2 minutes. This is within the response time goal of 6 minutes for an engine and the 8-minute response time goal for a ladder truck.

Police: The Police Department did not express any concerns with this request.

Tree Preservation:

The proposed zoning district of R-A, Residential Agricultural requires **25% minimum canopy preservation**. The current zoning district of RSF-4, Residential Single-family, 4 Units per Acre requires **25% minimum canopy preservation**.

CITY PLAN 2040 FUTURE LAND USE PLAN: City Plan 2040 Future Land Use Plan designates the property within the proposed rezone as a **City Neighborhood Area** and **Natural Area**.

City Neighborhood 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.

Natural Areas consist of lands approximating or reverting to a wilderness conditions, including those with limited development potential due to topography, hydrology, vegetation, or value as an environmental resource. These resources can include stream and wildlife corridors, as well as natural hubs and cores, many of which are identified in the generalized enduring green network. A Natural Area designation would encourage a development pattern that requires conservation and preservation, prevents degradation of these areas, and would utilize the principles of low impact development stormwater infrastructure for all developments. Natural Areas are prime candidates for conservation subdivision design and/or clustered development patterns.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a mixed score of **3-6** for this site, with a weighted score of **7**. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station #3, 1050 S. Happy Hollow Road)
- Near Sewer Main (S. Ray Avenue)
- Near Water Main (S. Ray Avenue)
- Near City Park (Doc Mashburn Park)
- Near ORT Bus Stop (Route 20)
- Appropriate Future Land Use (City Neighborhood)

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 generally compatible with the surrounding land use pattern of the area. There is a broad mixture of uses immediately adjacent to the subject property and further afield, including single- and two-family residences, storage overflow from a recycling facility, and offices nearby. Staff finds the uses allowed under the R-A zoning district pose limited potential for adverse impacts to these neighboring properties. Public facilities, agriculture and animal husbandry, two-family and manufactured dwellings, and animal boarding facilities would be allowed under the proposed rezoning. If a boarding facility were to be developed, the Planning Commission maintains the ability to require buffering for non-residential uses adjoining residences. Further, aerial imagery suggests that the property has been used agriculturally for much of the 1990s and 2000s. Finally, the application of the current zoning near floodplain and floodway is not conducive to protecting both future residents*

and the riparian corridor. Lacking an open space zoning tool, the R-A zoning district has served the function of limiting development in floodplains to a degree that is appropriate to its sensitive nature. Rezoning to R-A will provide additional use allowances that are not offered by-right in RSF-4 zoning.

Land Use Plan Analysis: Staff finds the proposed R-A zoning to be partially compatible with the Future Land Use Map. Specifically, the request is consistent with the portion of the subject property designated as a Natural Area. As noted above, without an open space zoning designation staff and the Planning Commission have previously recommended application of the R-A zoning district to sensitive environmental areas, particularly along riparian corridors, where the district's low-density allowance disincentivizes development. The applicant's request also aligns with City Plan 2040's goal to assemble an Enduring Green Network, with the entirety of the property designated as such.

Conversely, the request is not consistent with a large part of the property that is designated as a City Neighborhood Area. City Neighborhood Areas typically encourage denser development patterns which starkly contrast the allowances provided by the R-A zoning. Rezoning the site will remove significant development potential from multiple acres of property in an area that is somewhat proximate to many employment centers and other services. Nevertheless, staff finds the combination of the site's access features as well as its value as an environmental resource supplant inconsistencies with the future land use map in this case. The area has significant hydrology and vegetation which would likely limit development that is in accord with the goals of the City Neighborhood Area designation.

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 R-A. The compatibility of the request with adjacent properties and the partial alignment of the request with the Future Land Use Map and City Plan 2040's goals suggest a rezoning to a district that allows limited development at this location is suitable and justified.

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

Finding: The site has access to S. Ray Avenue, a Residential Link Street per the Master Street Plan. Given the nature of the request, which is a down-zoning, staff anticipates that potential for traffic danger and congestion is less when compared to a potential residential development.

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 RSF-4 to R-A will reduce both the potential density and intensity. This will, in turn, reduce the potential for an undesirable increase or load on public services. What is proposed is a down-zoning which would remove allowances for denser residential uses that generally have greater impacts on public infrastructure and services. Further, neither the Police and nor the Fire Department have expressed objection to the proposal.

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-2021-000045 to the City Council with a recommendation of approval.

| | | | | | |
|---|---------------------------------|---|---------------------------------|-----------------|-------------------|
| PLANNING COMMISSION ACTION: | | | | Required | <u>YES</u> |
| Date: <u>June 14, 2021</u> | <input type="checkbox"/> Tabled | <input checked="" type="checkbox"/> Forwarded | <input type="checkbox"/> Denied | | |
| Motion: Sparkman, recommending approval | | | | | |
| Second: Garlock | | | | | |
| Vote: 8-0-0 | | | | | |

BUDGET/STAFF IMPACT:

None

Attachments:

- Unified Development Code:
 - §161.03 – R-A, Residential Agricultural
 - §161.07 – RSF-4, Residential Single-family, 4 Units per Acre
- 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) |
|----------------|--------------|

(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)

161.07 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 |
|-------------------------|-----------|

(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)

April 28, 2021

Dear City Council Members:

As owner of JCC ENTERPRISES LLC, I submit this letter along with the required legal description in request to rezone Parcel ID: 765-15223-000 RPID 52156; which runs South of East Helen Street in Fayetteville, AR 72701 to the White River. I would like to rezone this land from RSF-4, Residential Single Family, 4units per Acre to R-A, Residential-Agricultural.

My team and I have been working with the USDA and Beaver Watershed Alliance on habitat restoration in preparation to preserve the habitat and conserve the environment for wildlife such as bobwhite quail. We are also looking into appropriate steps to establish housing and grazing space for goats and horses. Being that the surrounding areas off the river to the east, west and south are also natural areas and used for agriculture we believe this would be the best use of the land.

The proposed rezoning will also fit with the neighboring residential properties to the north. Any development under R-A zoning will have a lower impact than the allowances under the existing zoning and therefore the neighboring property owners are unlikely to be adversely affected by habitat restoration and conservation along the riparian area of the West Fork of the White River.

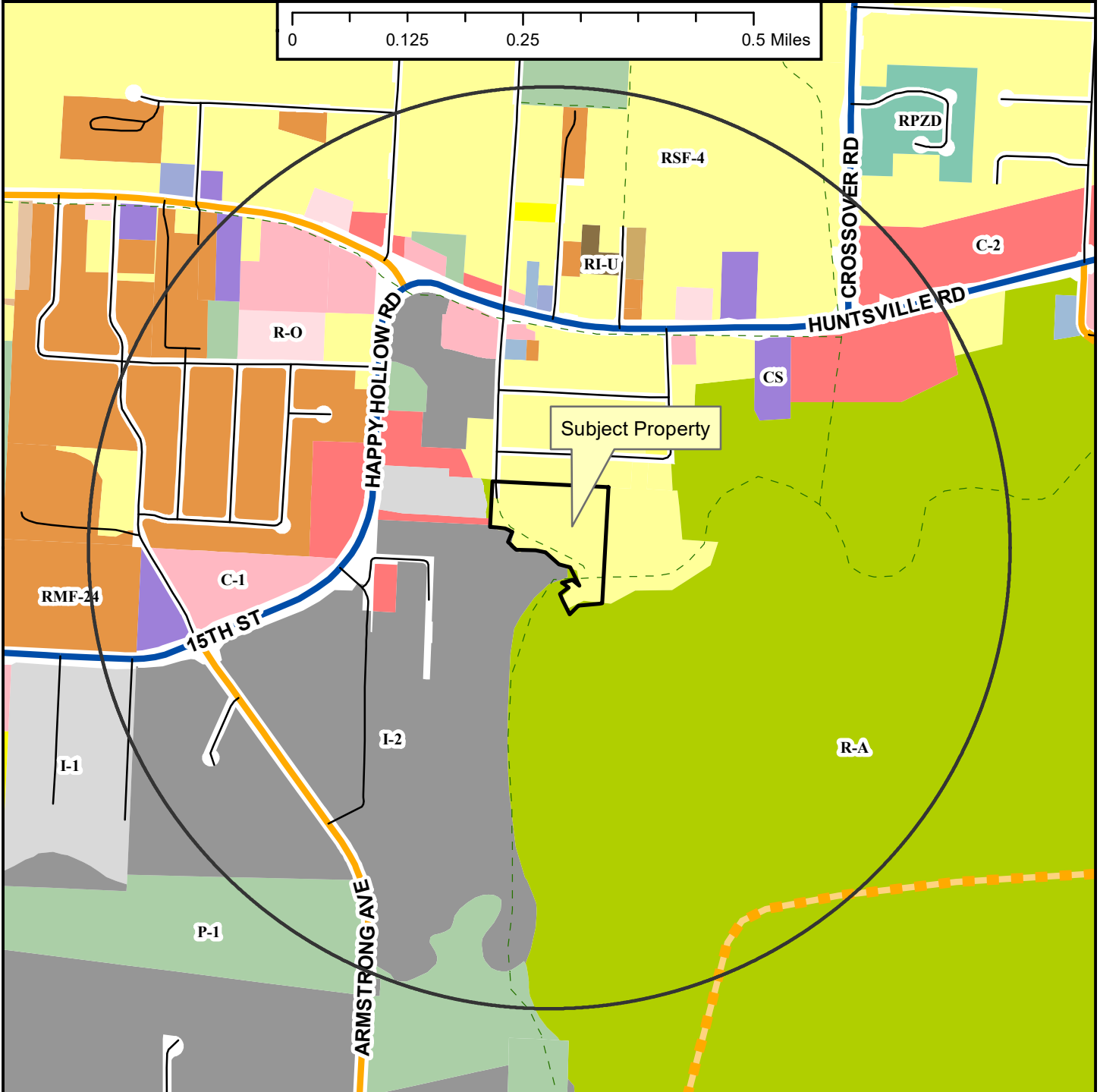
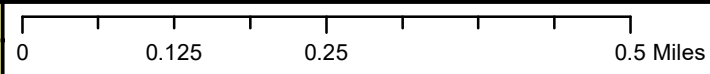
Sincerely,

John C. Cloyed
John C. Cloyed

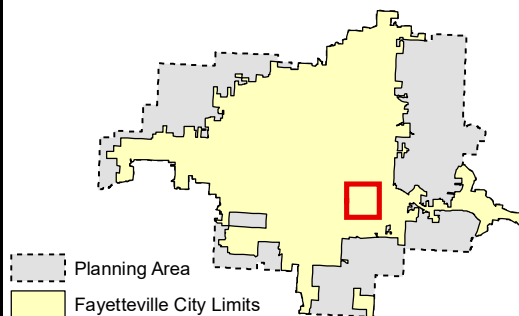
RZN-2021-000045

JCC Enterprises

One Mile View



- Neighborhood Link
- Regional Link - High Activity
- - - Planned Neighborhood Link
- - - Trail (Proposed)
- Fayetteville City Limits
- Planning Area

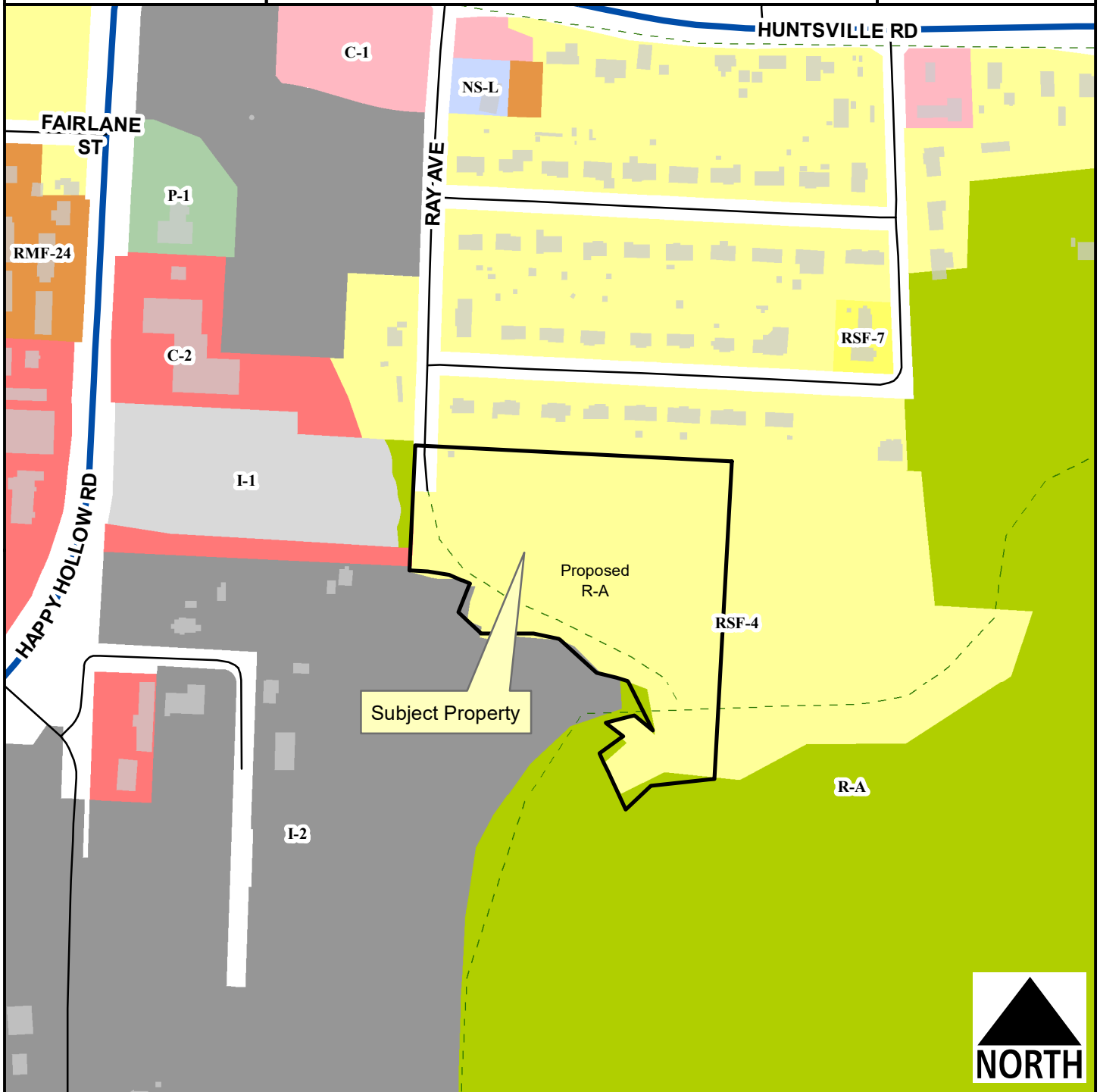


- | | |
|--|--|
| <p>Zoning</p> <p>RESIDENTIAL SINGLE-FAMILY</p> <ul style="list-style-type: none"> NS-G RI-U RI-12 NS-L Residential-Agricultural RSF-5 RSF-1 RSF-2 RSF-4 RSF-7 RSF-8 RSF-18 <p>RESIDENTIAL MULTI-FAMILY</p> <ul style="list-style-type: none"> RMF-6 RMF-12 RMF-16 RMF-24 RMF-40 <p>INDUSTRIAL</p> <ul style="list-style-type: none"> I-1 Heavy Commercial and Light Industrial | <ul style="list-style-type: none"> I-2 General Industrial <p>EXTRACTION</p> <ul style="list-style-type: none"> E-1 <p>COMMERCIAL</p> <ul style="list-style-type: none"> Residential-Office C-1 C-2 C-3 <p>FORM BASED DISTRICTS</p> <ul style="list-style-type: none"> Downtown Core Urban Thoroughfare Main Street Center Downtown General Community Services Neighborhood Services Neighborhood Conservation <p>PLANNED ZONING DISTRICTS</p> <ul style="list-style-type: none"> Commercial, Industrial, Residential <p>INSTITUTIONAL</p> <ul style="list-style-type: none"> P-1 |
|--|--|

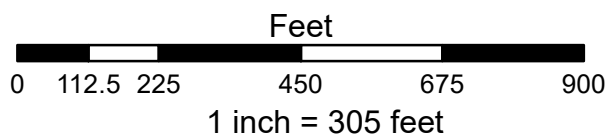
RZN-2021-000045

JCC Enterprises

Close Up View



- Regional Link - High Activity
- Trail (Proposed)
- Planning Area
- Fayetteville City Limits



| Zoning | Acres |
|--------|-------|
|--------|-------|

| | |
|-----|-----|
| R-A | 7.1 |
|-----|-----|

| | |
|--------------|------------|
| Total | 7.1 |
|--------------|------------|

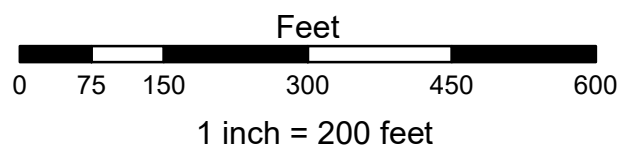
RZN-2021-000045

JCC Enterprises

Current Land Use



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



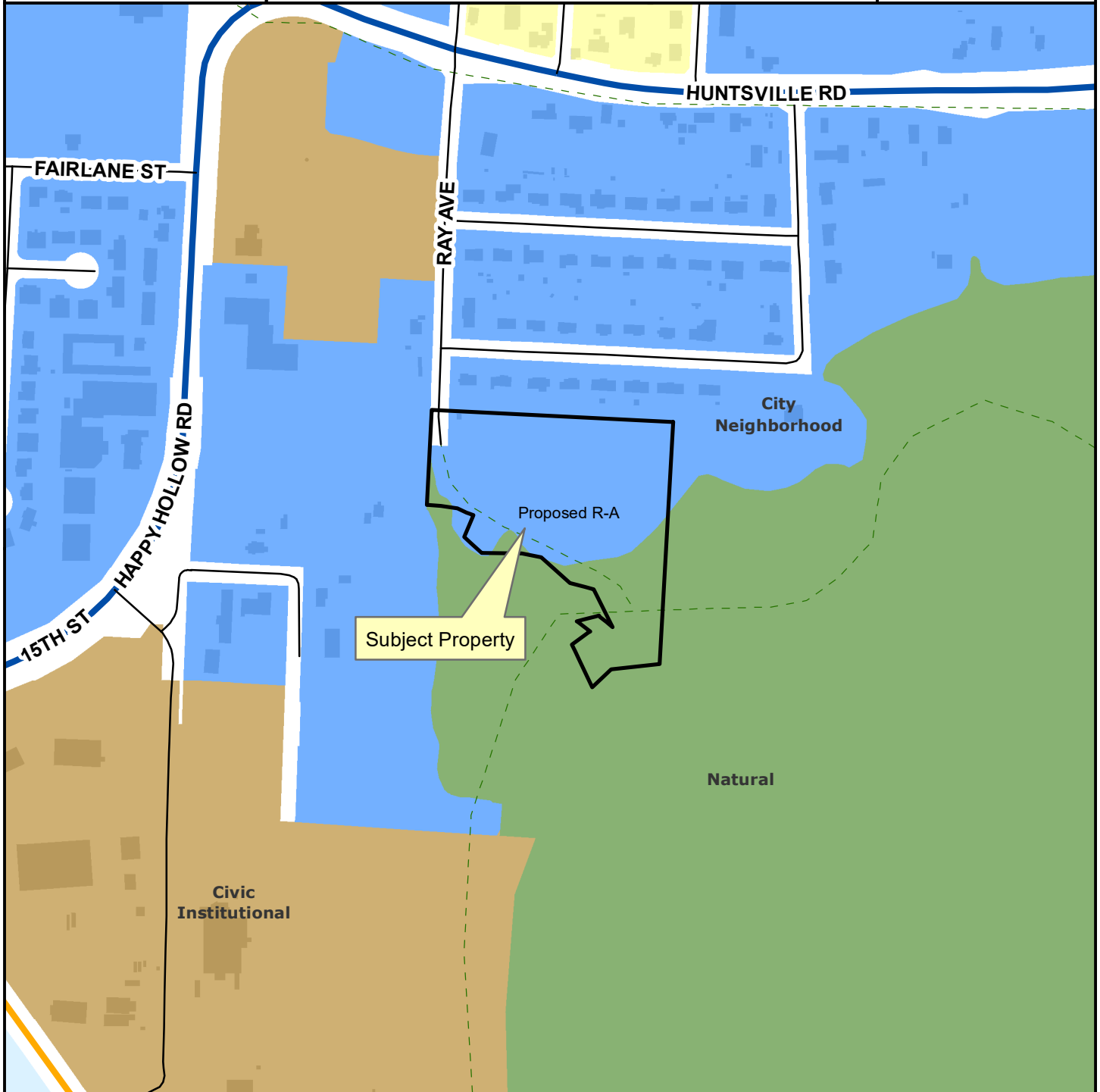
FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

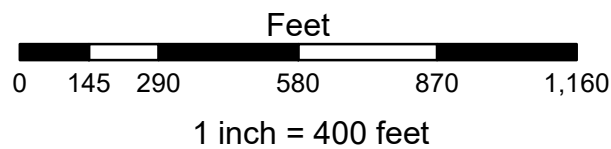
RZN-2021-000045

JCC Enterprises

Future Land Use



- Neighborhood Link
- Regional Link - High Activity
- Planning Area
- Fayetteville City Limits
- Trail (Proposed)



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