

City of Fayetteville Staff Review Form

2021-0474

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-2021-000048: Rezone (956 W. CATO SPRINGS RD./REYNOLDS, 600): Submitted by GARRISON RODDEY for property located at 956 W. CATO SPRINGS RD. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and I-1, HEAVY COMMERCIAL AND LIGHT INDUSTRIAL and contains approximately 0.50 acres. The request is to rezone the property to NS-G, NEIGHBORHOOD SERVICES-GENERAL.

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-2021-000048: Rezone (956 W. CATO SPRINGS RD./REYNOLDS, 600):**
Submitted by GARRISON RODDEY for property located at 956 W. CATO SPRINGS RD. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and I-1, HEAVY COMMERCIAL AND LIGHT INDUSTRIAL and contains approximately 0.50 acres. The request is to rezone the property to NS-G, NEIGHBORHOOD SERVICES-GENERAL.

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 proposed rezoning request is for approximately 0.50 acres at 956 W. Cato Springs Road, approximately one-half mile east of the intersection of W. Cato Springs Road and S. Razorback Road. The property is currently split-zoned I-1, Heavy Commercial and Light Industrial and RSF-4, Residential Single-family, 4 Units per Acre, and has an existing residence built in 1964 on site. Along the property's eastern boundary is municipal land, through which runs the Cato Springs Trail.

Request: The request is to rezone the subject property, approximately 0.50 acres, from I-1, Heavy Commercial and Light Industrial and RSF-4, Residential Single-family, 4 Units per Acre, to NS-G, Neighborhood Services – General. The applicant has not shared a specific development intent other than indicating they plan development that would encourage continued and increased use of the Cato Springs Trail.

Public Comment: Prior to the Planning Commission meeting, staff received a resident inquiry with concerns about potential drainage issues that future development could pose. The neighbor spoke during the Planning Commission meeting to reiterate concerns with stormwater. Following the Planning Commission meeting, a resident of the nearby Emma Avenue contacted staff stating their support.

Land Use Compatibility: The proposed zoning is compatible with surrounding land use patterns in this area, which contains a mixture of industrial, office, and residential uses. A daycare, mental health clinic, University of Arkansas Research and Technology Park, Tyson Plant, Washington County South Campus, and Cato Springs Trail are all within a half mile of the property. A variety of housing is present in the half mile radius as well, including single- and multi-family dwellings and two manufactured home parks. Despite the abundance of employment and residential uses in the vicinity, there are not many retail or neighborhood services. The uses allowed in the NS-G zoning district provide residential uses by-right that are of a scale that fits with the neighboring properties. Dwellings are limited to a maximum of four-family units of not more than three stories. The commercial allowances provide small- to medium-scale retail and services that would encourage a pedestrian-oriented neighborhood form. The existing residential use of the property is allowed under both the proposed and existing zoning. Finally, the property is ideally situated next to the Cato Springs Trail. Any future tenants, residential or commercial, have a built-in means of accessing further reaches of the City by alternative means due to its proximity.

Land Use Plan Analysis: The proposed zoning is consistent with the Future Land Use Map designation of this property as a City Neighborhood Area. The NS-G zoning district at this location will encourage a pattern of development that includes an expectation that buildings will address the street and non-residential uses be located along major corridors and at corner locations. A mixture of residential and commercial uses is typical in a traditional urban form. Staff finds rezoning to NS-G will encourage an environment that is appealing to pedestrians and reduce the visual impact of parking areas. The property is part of the Fayette Junction Master Plan, which in illustrative form does not indicate much change at the site. That said, the property has many elements of the infill matrix, indicating that the site is appropriate for an increased density in housing or incremental commercial uses, which also meets goals 1, 3, and 6 of City Plan 2040, making infill a priority and opening up opportunities for attainable housing.

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

- Adequate Fire Response (Station #6, 900 S. Hollywood Avenue)
- Near Sewer Main (W. Cato Springs Road)
- Near Water Main (W. Cato Springs Road)
- Near City Park (Greathouse Park)
- Near Paved Trail (Cato Springs Trail)
- Near ORT Bus Stop (Route 20)
- Appropriate Future Land Use (City Neighborhood and Fayette Junction Neighborhood Plan)

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 Belden seconded. Commissioners acknowledged concerns about the adjacency of the property to the Cato Springs Branch. Commissioners discussed the development requirements associated with projects in flood hazard areas and regulatory floodways that

encompass the site. Ultimately, the Commission agreed that the zoning request is compatible with future land use plans for the area.

BUDGET/STAFF IMPACT:

N/A

Attachments:

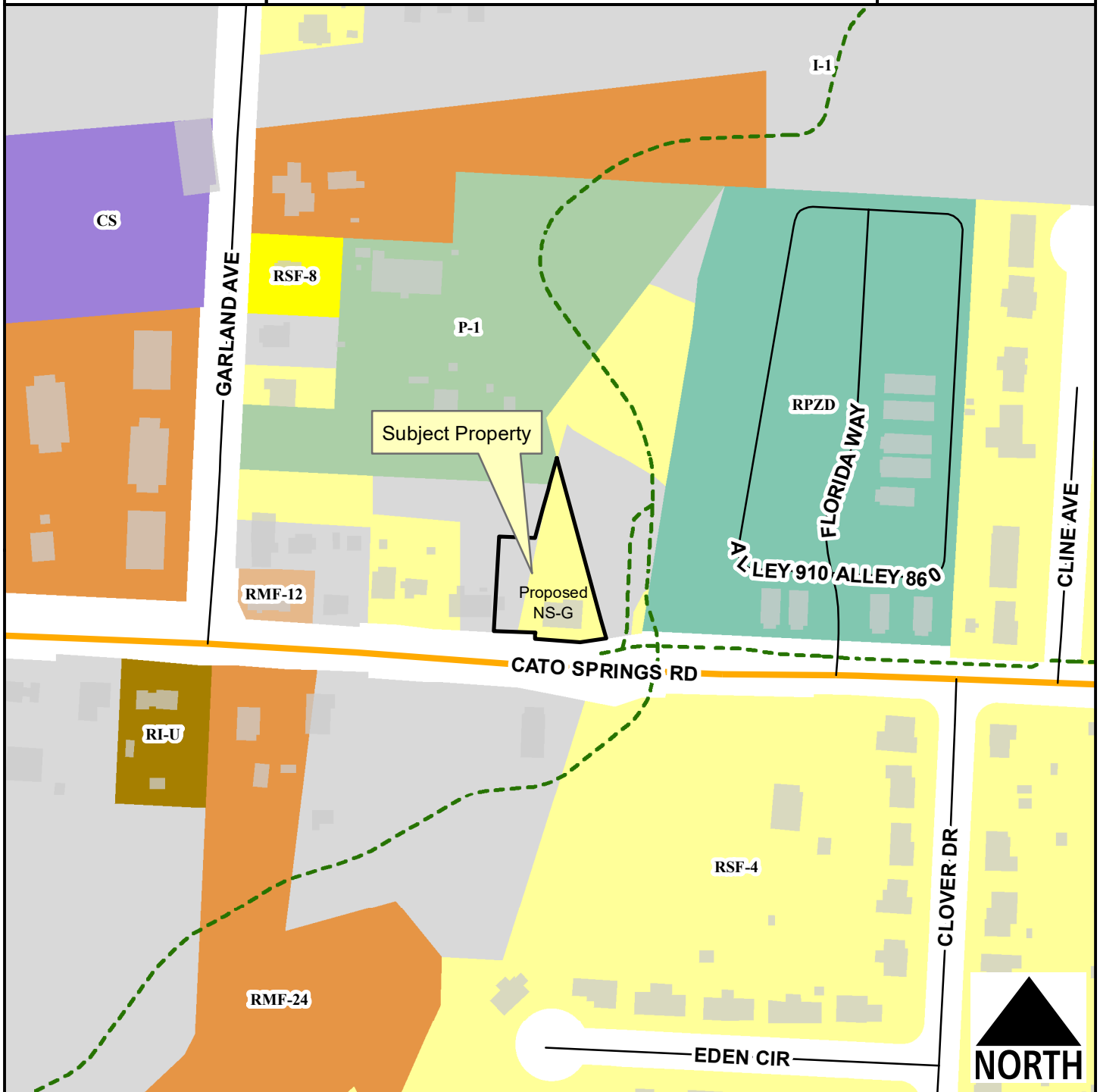
- Exhibit A
- Exhibit B
- Planning Commission Staff Report

RZN-2021-000048

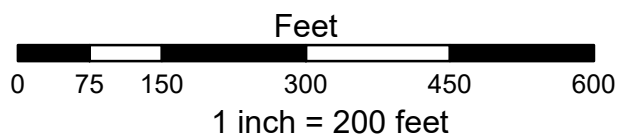
Reynolds

RZN-21-000048
EXHIBIT 'A'

Close Up View



- Neighborhood Link
- Planning Area
- Fayetteville City Limits



Zoning	Acres
NS-G	0.5
Total	0.5

RZN-21-000048
EXHIBIT 'B'

LEGAL DESCRIPTION

VOID FOR 2016 & FOLLOWING YEARS PT SW SW 0.19A FURTHER DESCRIBED AS: Part of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section Twenty-one (21) in Township Sixteen (16) North of Range Thhiy (30) West, beginning at a point 385 feet East of the Sonthwest corner of said 40 acre tract, and rnnning North 150 feet, thence East 57 feet, thence South 150 feet, thence West 57 feet to the point of beginning. LESS AND EXCEPT: commencing at the Southwest corner of the aforesaid forty (40) acre tract; thence along the South line of said tract South 87 degrees 13 minutes 23 seconds East 385.00 feet to the point of beginning being on the West line of a property described in Instrument Number 2006- 29868 as recorded with the Circuit Clerk of said County, thence along said west line North 02 degrees 59 minutes East 31.78 feet; thence South 87 degrees 29 minutes 34 seconds East 57.00 feet to the East line of said property; thence along said East line South 02 degrees 59 minutes 00 seconds West 32.04 feet to the South line of said forty (40) acre tract; thence along said South line North 87 degrees 13 minutes 23 seconds West 57.00 feet to the point of beginning, containing 1819 square feet, more or less. Subject to easements and right-of-ways of record. LESS AND EXCEPT that portion deeded to the City of Fayetteville in Book 704, page 167-168, as recorded with the Circuit Clerk, containing 549 square feet.



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-2021-000048: Rezone (956 W. CATO SPRINGS RD./REYNOLDS, 600):** Submitted by GARRISON RODDEY for property located at 956 W. CATO SPRINGS RD. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 0.50 acres. The request is to rezone the property to NS-G, NEIGHBORHOOD SERVICES-GENERAL.

RECOMMENDATION:

Staff recommends forwarding **RZN-2021-000048** to the City Council with a recommendation of approval, based on the findings herein.

RECOMMENDED MOTION:

"I move to forward **RZN-2021-000048** to City Council with a recommendation for approval."

BACKGROUND:

The proposed rezoning request is for approximately 0.50 acres at 956 W. Cato Springs Road, approximately a half mile east of the intersection of W. Cato Springs Road and S. Razorback Road. The property is currently split-zoned I-1, Heavy Commercial and Light Industrial and RSF-4, Residential Single-family, 4 Units per Acre, and has an existing residence built in 1964 on site. Surrounding land use and zoning is depicted on *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	LifeSource Counseling	I-1, Heavy Commercial and Light Industrial; P-1, Institutional
South	Undeveloped	I-1, Heavy Commercial and Light Industrial
East	Cato Springs Trail	I-1, Heavy Commercial and Light Industrial
West	Single-family Residential	I-1, Heavy Commercial and Light Industrial

Request: The request is to rezone the subject property, approximately 0.50 acres, from I-1, Heavy Commercial and Light Industrial and RSF-4, Residential Single-family, 4 Units per Acre to NS-G, Neighborhood Services – General. The applicant has not shared a specific development intent other than indicating they would prefer to see a development that would encourage continued and increased use of the Cato Springs Trail.

Public Comment: Staff has received no public comment to date.

INFRASTRUCTURE:

- Streets:** The subject area has frontage along W. Cato Springs Road. Cato Springs Road is a fully improved Neighborhood Link street with asphalt paving, curb and gutter and sidewalk along the north side of the street. Any street improvements required in these areas would be determined at the time of development proposal.
- Water:** Public water is available to the subject area. Existing 8-inch water main is present in the north side of W. Cato Springs Road.
- Sewer:** Sanitary Sewer is available to the subject area. Existing 8-inch sanitary sewer main is present on the South side of West side of Cato Springs Road.
- Drainage:** No part of the parcel lies within the Hillside Hilltop Overlay District (HHOD). A portion of the subject area is within a FEMA floodplain, has hydric soils, and a protected stream is present in the area. 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. floodplain is present throughout the entirety of the subject property. Hydric soils are also present on the subject property. They are a known indicator of wetlands. However, for an area to be classified as wetlands, it may also need other characteristics such as hydrophytes (plants that grow in water), and shallow water during parts of the year. Hydric Soils can be found across many areas of Fayetteville, including valleys, floodplains, and open prairies. It is important to identify these natural resources during development, so when these soils are identified on a property, further environmental studies will be required at the time of development. Before permits will be issued for the property a statement/report from an environmental professional must be provided summarizing the existence of wetlands on the property. If this statement/report indicates that wetlands may be present on site, a USACE Determination of Jurisdictional Wetlands will be required at the time of development submittal. Hydric soils are present throughout the entirety 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 present on the east side of the subject property. Any additional improvements or requirements for drainage will be determined at time of development.
- Fire:** Station 6, located at 990 South Hollywood Ave, protects this site. The property is located approximately 1.9 miles from the fire station with an anticipated drive time of approximately 5 minutes using existing streets. The anticipated response time would be approximately 7.2 minutes. This is not within the response time goal of 6 minutes for an engine but meets 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 NS-G, Neighborhood Services-General requires **20% minimum canopy preservation**. The current zoning district of RSF-4, Residential Single-family, 4 Units per Acre requires **25% minimum canopy preservation** the I-1 zoning district requires **15% minimum canopy preservation**.

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

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a mixed score of 6-7 for this site, with a weighted score of 8. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station #6, 900 S. Hollywood Avenue)
- Near Sewer Main (W. Cato Springs Road)
- Near Water Main (W. Cato Springs Road)
- Near City Park (Greathouse Park)
- Near Paved Trail (Cato Springs Trail)
- Near ORT Bus Stop (Route 20)
- Appropriate Future Land Use (City Neighborhood)
- Within Master Plan Area (Fayette Junction Neighborhood Plan)

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 mixture of industrial, office, and residential uses. A daycare, mental health clinic, University of Arkansas Research and Technology Park, Tyson Plant, Washington County South Campus, and Cato Springs Trail are all within a half mile of the property. A variety of housing is present in the half mile radius as well, including single- and multi-family dwellings and two manufactured home parks. Despite the abundance of employment and residential uses in the vicinity, there are not many retail or neighborhood services. The uses allowed in NS-G zoning provide residential uses by-right that are of a scale that fits with the neighboring properties. Dwellings are limited to a maximum of four-family units. The commercial allowances

provide medium-scale retail and services that would encourage a pedestrian-oriented neighborhood form. The existing use of the property is allowed under the proposed zoning. Finally, the property is ideally situated next to the Cato Springs Trail. Any future tenants, residential or commercial, have a built-in means of accessing further reaches of the City by alternative means due to its proximity.

Land Use Plan Analysis: The proposed zoning is consistent with the Future Land Use Map designation of this property as a City Neighborhood Area. The NS-G zoning district at this location will encourage a pattern of development that includes an expectation that buildings will address the street and non-residential uses be located along major corridors and at corner locations. A mixture of residential and commercial uses is typical in a traditional urban form. Staff finds rezoning to NS-G will encourage an environment that is appealing to pedestrians and reduce the visual impact of parking areas. The property is part of the Fayette Junction Master Plan, which in illustrative form does not indicate much change at the site. That said, the property has a high infill score, indicating that the site is acceptable for an increased density in housing or gentle commercial uses, which also meets goals 1, 3, and 6 of City Plan 2040, making infill a priority and opening up opportunities for attainable housing.

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 NS-G. The compatibility of the request with adjacent properties and the general 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. Further, the rezoning would remedy an undevelopable portion of the west side of the lot that cannot meet the side setback requirements of the I-1 district.

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

Finding: The property's size and other development limitations, such as parking requirements, building and fire codes, and property access, will inherently limit the development potential of the site, and thereby reduce the potential for congestion or hazardous traffic conditions. As previously noted, the property's adjacency to the trail offers future tenants the opportunity to access the City by non-vehicular methods which would, in fact, alleviate the potential burden increased density might otherwise pose.

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 NS-G undoubtably carries an associated potential to increase population density in the neighborhood. However, as noted above, staff finds that the realities of development

requirements and the lot's size will limit impacts to those that could occur under the existing zoning entitlements. Specifically, dwellings are required lot width and area minimums of 35 feet and 3,000 square feet, respectively. The property has roughly 150 feet of frontage on W. Cato Springs Road and roughly 15,000 square feet of area, meaning the property can only feasibly accommodate a maximum of four dwellings. Accordingly, no additional adverse impacts on services or infrastructure are anticipated.

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-2021-000048 to the City Council with a recommendation of approval.

BUDGET/STAFF IMPACT:

None

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: Belden					
Vote: 8-0-0					

BUDGET/STAFF IMPACT:

None

Attachments:

- Unified Development Code:
 - §161.07 – RSF-4, Residential Single-family, 4 Units per Acre

- §161.30 – I-1, Heavy Commercial and Light Industrial
 - §161.19 – Neighborhood Services-General
- Request letter
- One Mile Map
- Close-up Map
- Current Land Use Map
- Future Land Use Map

161.07 District RSF-4, Residential Single-Family - Four (4) Units Per Acre

(A) *Purpose.* The RSF-4 Residential District is designed to permit and encourage the development of low density detached dwellings in suitable environments, as well as to protect existing development of these types.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 9	Two-family dwellings
Unit 12a	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities
Unit 44	Cluster Housing Development

(C) *Density.*

	Single-family dwellings	Two (2) family dwellings
Units per acre	4 or less	7 or less

(D) *Bulk and Area Regulations.*

	Single-family dwellings	Two (2) family dwellings
Lot minimum width	70 feet	80 feet
Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet
Hillside Overlay District Lot minimum width	60 feet	70 feet
Hillside Overlay District Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet

(E) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	15 feet

(F) *Building Height Regulations.*

Building Height Maximum	3 stories
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(G) *Building Area*. On any lot the area occupied by all buildings shall not exceed 40% of the total area of such lot. 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)

161.30 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 22	Manufacturing
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, 6-20-17; Ord. No. 6015 , §1(Exh. A), 11-21-17)

161.19 NS-G, Neighborhood Services - General

(A) *Purpose.* The Neighborhood Services, General district is designed to serve as a mixed use area of medium intensity. Neighborhood Services, General promotes a walkable, pedestrian-oriented neighborhood development form with sustainable and complementary neighborhood businesses that are compatible in scale, aesthetics, and use with surrounding land uses. For the purpose of Chapter 96: Noise Control the Neighborhood Services district is a residential zone.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 12b	General business
Unit 24	Home occupations
Unit 40	Sidewalk cafes
Unit 41	Accessory dwelling units
Unit 44	Cluster housing development

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 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 13	Eating places
Unit 16	Shopping goods
Unit 19	Commercial recreation, small sites
Unit 25	Offices, studios and related services
Unit 26	Multi-family dwellings
Unit 36	Wireless communication facilities
Unit 45	Small scale production

(C) *Density.* Eighteen (18) or less per acre.

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

All dwellings	35 feet
All other uses	None

(2) *Lot Area Minimum.*

Single-family	4,000 square feet
Two (2) family or more	3,000 square feet per dwelling unit
All other uses	None

(E) *Setback regulations.*

Front	Side	Side-Zero Lot Line*	Rear	Rear when contiguous to a single-family residential district
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A build-to zone that is located between the front property line and a line 25 feet from the front property line.	5 feet	A setback of less than 5 feet (zero lot line) is permitted on one interior side, provided a maintenance agreement is filed**. The remaining side setback(s) shall be 10 feet.	None	15 feet
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(F) *Building Height Regulations.*

Building Height Maximum	3 stories
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(G) *Minimum Buildable Street Frontage.* 50% of the lot width.

(Ord. No. 5945 , §7(Exh. A), 1-17-17; Ord. No. 6015 , §1(Exh. A), 11-21-17; Ord. No. 6223 , §1, 9-3-19

May 5, 2021

PETITION TO CHANGE ZONING LOTS ON CATO SPRINGS ROAD

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

Nathan and Jennifer Stout & Garrison Roddey requests that the zoning designation of the following lot 765-15054-000 to be changed from Residential Single-family – 4 units/acre to Neighborhood Services General (NSG):

- 956 W CATO SPRINGS RD FAYETTEVILLE, AR 72701

REASON FOR ZONING CHANGE REQUEST / STATEMENT OF NEED:

The zoning change request will bring the property's development pattern into alignment with the plans outlined in the Fayette Junction Plan. Fayette Junction has a diverse mix of land use types envisioned in the future. Land uses vary from natural and rural areas to urban centers. The large percentage of vacant and underutilized land provides opportunities for varying degrees of residential densities and commercial intensities while preserving significant open space. The NSG zoning requested contributes to this vision planning as well as encourage continued and increased use of the very valued trail system for both business and pleasure.

IMPACT ON NEIGHBORS & CITY:

The requested zoning change will positively impact the surrounding properties in terms of land use, traffic, appearance and signage. Water and Sewer are available in adequate quantities adjacent to the sites. Engineering practices will be utilized to reduced impact on neighboring properties through pier systems and bio retention designs which are projected to increase permeable surfaces from their current state.

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 destinations and place making.

Respectfully,

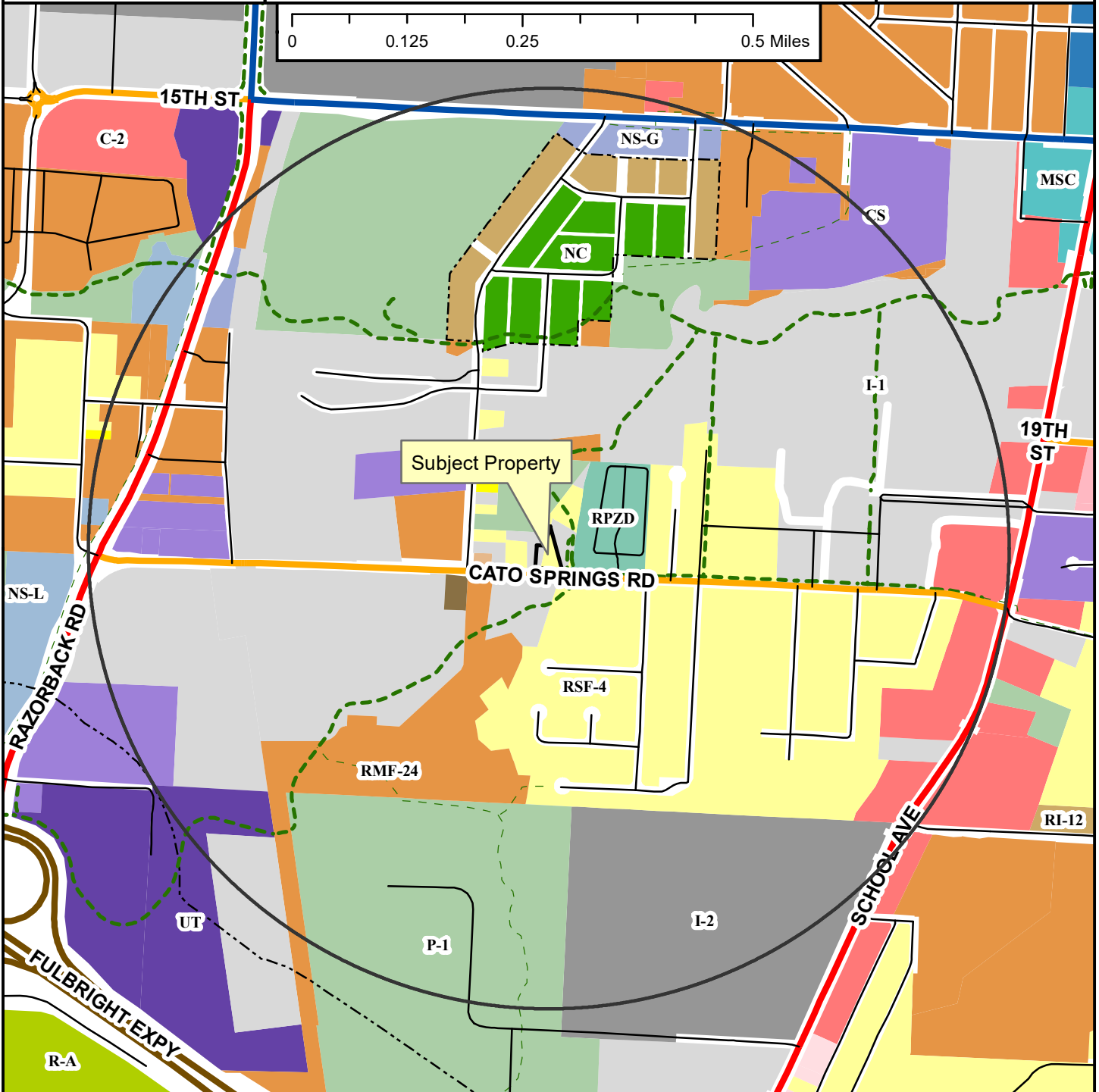
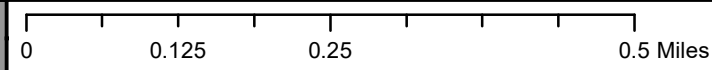
Nathan & Jennifer Stout

Garrison Roddey

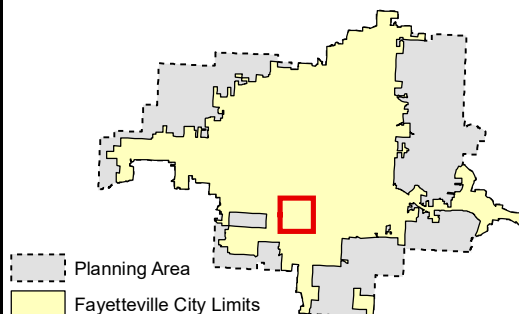
RZN-2021-000048

Reynolds

One Mile View



- Regional Link
- Neighborhood Link
- Regional Link - High Activity
- Freeway/Expressway
- - - Shared-Use Paved Trail
- - - Trail (Proposed)
- Design Overlay District
- Fayetteville City Limits
- Planning Area

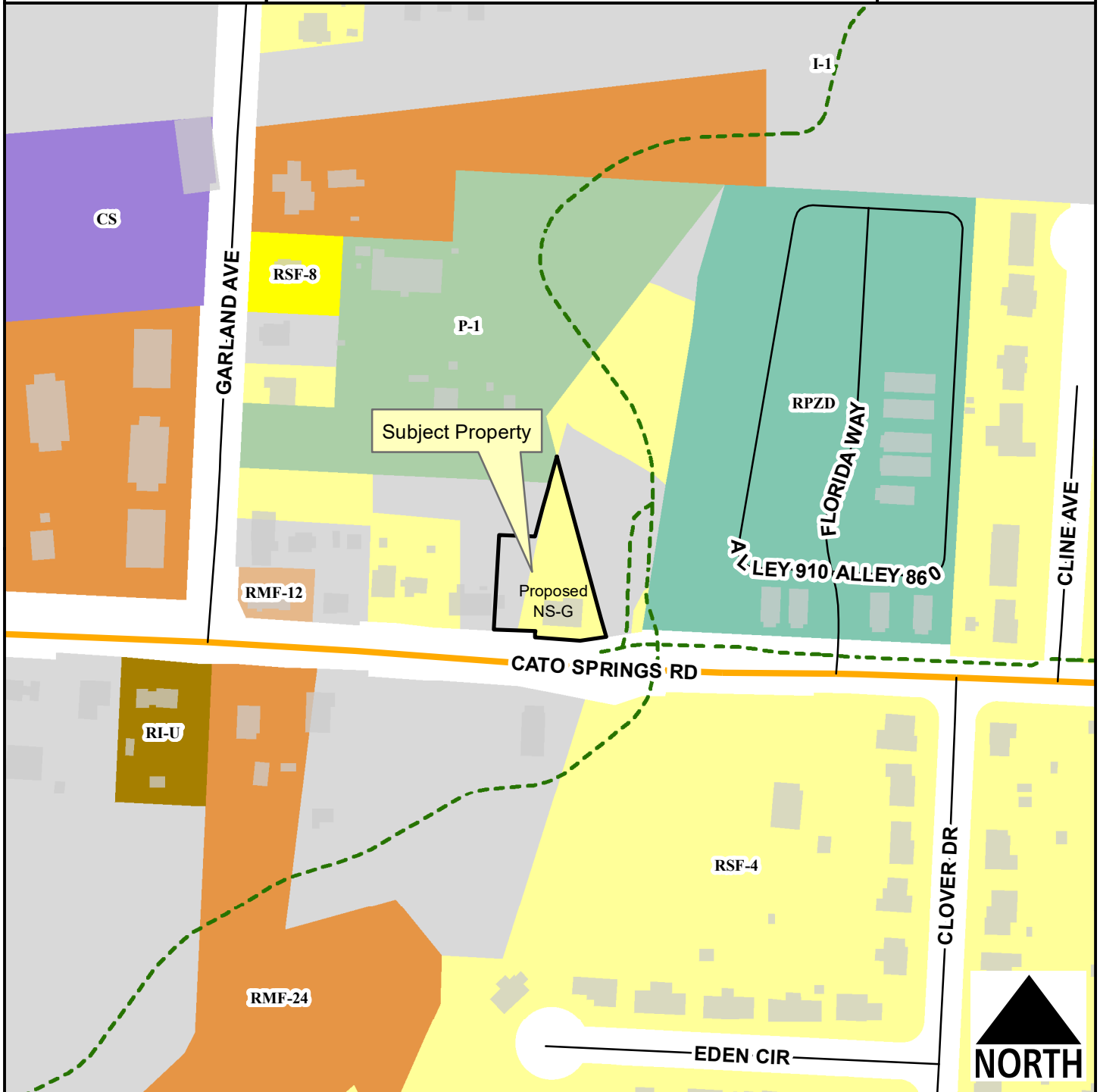


- Zoning**
- RESIDENTIAL SINGLE-FAMILY**
- NS-G
 - RI-U
 - RI-12
 - NS-L
 - Residential-Agricultural
 - RSF-5
 - RSF-1
 - RSF-2
 - RSF-4
 - RSF-7
 - RSF-8
 - RSF-18
- RESIDENTIAL MULTI-FAMILY**
- RMF-6
 - RMF-12
 - RMF-18
 - RMF-24
 - RMF-40
- INDUSTRIAL**
- I-1 Heavy Commercial and Light Industrial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

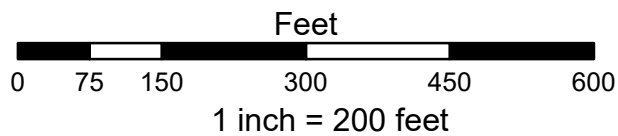
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Close Up View



- Neighborhood Link
- Planning Area
- Fayetteville City Limits

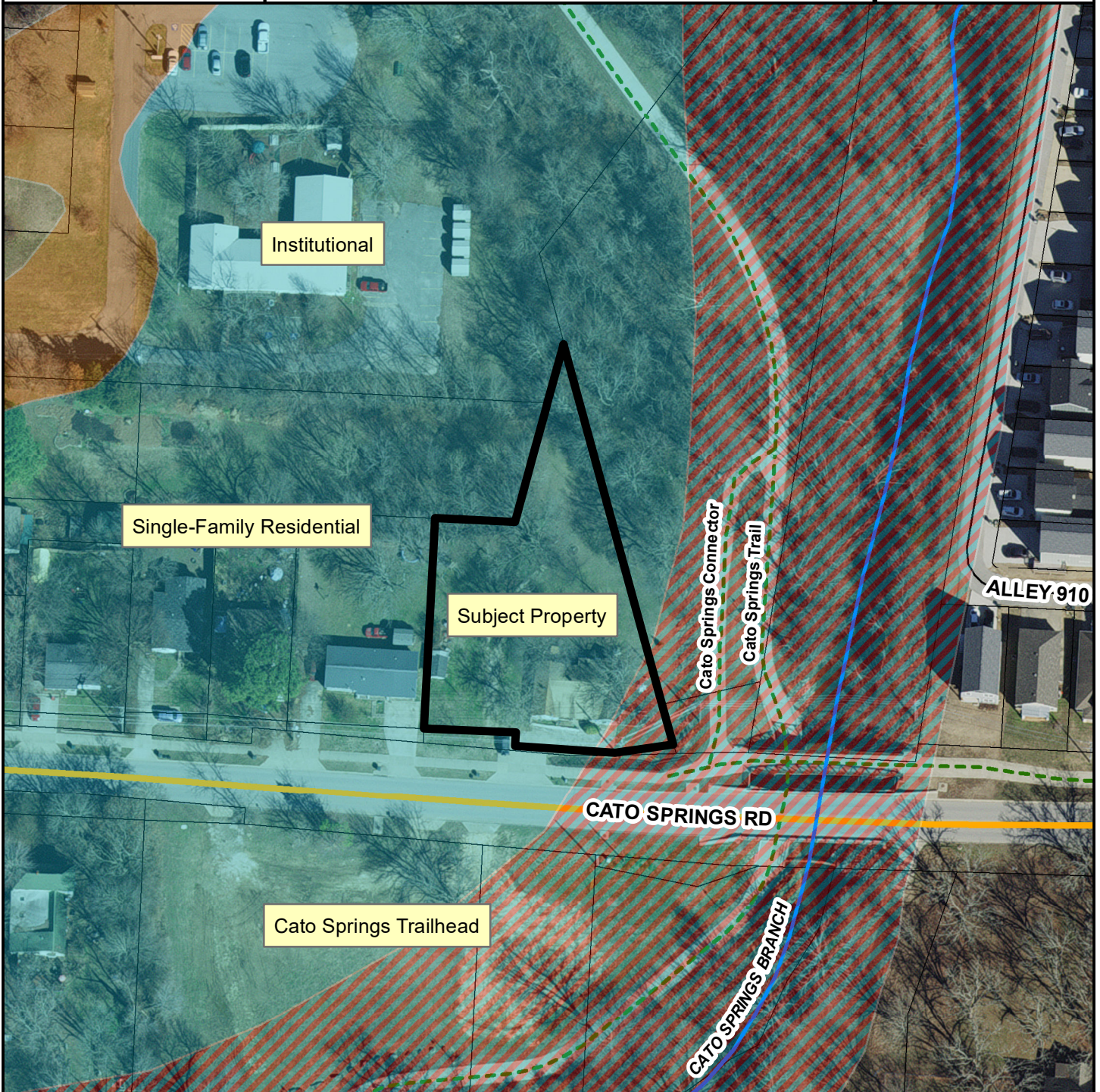


<u>Zoning</u>	<u>Acres</u>
NS-G	0.5
Total	0.5

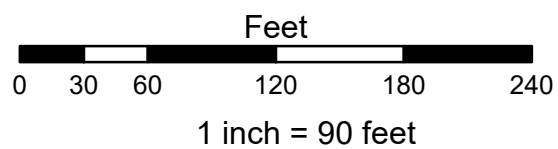
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Current Land Use



- Neighborhood Link
- Planning Area
- Fayetteville City Limits



FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

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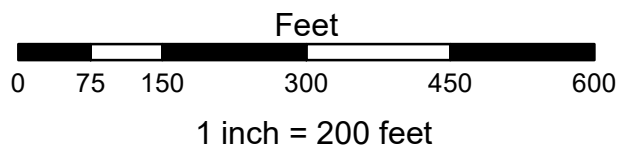
Reynolds



Future Land Use



- Neighborhood Link
- Planning Area
- Fayetteville City Limits



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