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Via Email (cityclerk@fayetteville-ar.gov)

Ms. Kara Paxton
City Clerk
City of Fayetteville
113 West Mountain Street
Fayetteville, Arkansas 72701

**Re: APPEAL of Planning Commission Decision
RZN – 2021-000073 – Monroe/Deane Solomon**

Dear Ms. Paxton,

Pursuant to Unified Development Code 155.05(A)(1)(b), on behalf of Lewis Brothers Leasing Co., Inc, I am appealing the decision of the Fayetteville Planning Commission denying my client's rezoning application, RZN-2021-000073, during the November 8, 2021 meeting. We would request this matter be place on the City Council's agenda at the earliest opportunity.

As noted in the application, the property in question is located at the southeast corner of the intersection of Deane Solomon Road and W. Monroe Lane and is approximately 5.06 acres. The property to be rezoned is currently zoned RMF-24 and the application requested rezoning the property C-2, Thoroughfare Commercial.

The purpose of the rezoning request is to utilize the property for a Lewis Automotive dealership, relocating from its current location on College Avenue. Lewis Automotive is a family-owned business that has operated in Fayetteville for more than seventy-five (75) years. Its contributions to the economic vitality of our community have been, and will continue to be, very substantial. When other businesses have chosen to move north of Fayetteville, the Lewis brothers have remained committed to keeping their business in Fayetteville.

We believe the denial of the rezoning application is erroneous because C-2 is plainly the proper zone for this property's development. The track of property that will house the auto dealership to is roughly 25 acres. Approximately twenty (20) acres of the property is already zoned C-2, and these five (5) acres, contiguous to it, should be zoned consistently with the

remaining property. Though the City’s Future Land Use map shows this property and the property adjacent to it along I-49 as City Neighborhood, the current and developing uses demonstrate that there is a significant disconnect between the City goals and the actual long-term use. This property along I-49 is fast becoming Fayetteville’s auto park, given the proximity of the Subaru and Hyundai dealerships, the Kia dealership in development adjacent to the subject property, and the plans for Lewis Automotive. Despite City Plan 2040, the practical considerations of the actual uses, the economic impact on the City, and the suitability of the use for this property should drive the decision.

We respect the City Planning staff’s recommendation, and understand they are bound by the confines of the City’s long-term goals. It is evident that requests for C-2 zoning are likely to be denied outright in virtually all cases. However, while recommending denial, Planning staff noted: “If conventional, vehicle-dependent zoning is suitable anywhere in Fayetteville, the subject property is likely to be among the most compatible.” While the commissioners agreed that this was a perfect location for the Lewis Brother’s dealership, it denied the application to extend the C-2 zoned property through these five (5) acres. We believe the Commission should have granted the application to rezone and request the City Council grant the application on appeal.

Please advise if you require any additional information, and we will look forward to presenting the matter to the City Council.

Sincerely,

/s/ Suzanne G. Clark

Suzanne G. Clark

cc. Matt Lewis
Blake Pennington