

City of Fayetteville Staff Review Form

2022-0084

Legistar File ID

2/15/2022

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

Jonathan Curth

1/28/2022

DEVELOPMENT REVIEW (630)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

RZN-2021-000089: Rezone (SOUTH OF 1936 S. SHILOH DR./DDB INVESTMENTS, 363): Submitted by BRAD PAYNE for properties located SOUTH OF 1936 S. SHILOH DR. The properties are zoned I-1, HEAVY COMMERCIAL & LIGHT INDUSTRIAL and contain approximately 9.11 acres. The request is to rezone the property to CS, COMMUNITY SERVICES.

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 FEBRUARY 15, 2022

TO: Mayor; Fayetteville City Council

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

FROM: Gretchen Harrison, Planner

DATE: January 28, 2022

SUBJECT: **RZN-2021-000089: Rezone (SOUTH OF 1936 S. SHILOH DR./DDB INVESTMENTS, 363):** Submitted by BRAD PAYNE for properties located SOUTH OF 1936 S. SHILOH DR. The properties are zoned I-1, HEAVY COMMERCIAL & LIGHT INDUSTRIAL and contain approximately 9.11 acres. The request is to rezone the property to CS, COMMUNITY SERVICES.

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 W. Mount Comfort Road and west of I-49 and abuts the north end of N. Shiloh Drive. The property contains approximately 9.11 acres, is zoned I-1: Heavy Commercial & Light Industrial, and is currently undeveloped. The property has access to N. Shiloh Drive, W. Riverridge Drive, and undeveloped right-of-way to the south. A branch of the Hamestrung Creek runs through the center of the property and roughly 22% of the site lies within a floodplain.

Request: The request is to rezone the property to CS, Community Services. The applicant has not submitted any specific development plans, though they have stated that rezoning will allow for a mix of housing types and densities.

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

Land Use Compatibility: The subject property is located between a two-family residential subdivision to the west, undeveloped land to the south, I-49 to the east, and professional offices to the north. A rezoning to CS, Community Services, would allow additional uses that are otherwise not permitted under current zoning, such as single- and multi-family dwellings, accessory dwellings, and small-scale production. Since the subject property is bordered by housing, offices, and a public trail, staff finds that the uses permitted by-right under CS zoning are largely compatible with this location. CS zoning would allow for reduced setbacks with a build-to zone that is located between 10 and 25 feet from front property lines whereas current zoning

requires a front setback of 25 feet. While there are many uses permitted in both the current and proposed zoning that could be of service to the surrounding residential and office developments, CS would allow for development that is mixed-use and urban in form. The presence of a protected stream, floodplain, and hydric soils on the property will naturally limit the size of any future development through additional reviews and approval.

Land Use Plan Analysis: Staff finds that the request may be inconsistent with adopted land use policies and the property's Future Land Use Map designation. The property is designated as an Industrial Area, which indicates an intent for an extension of the industrial park to the north. In terms of industrial uses, CS zoning would only permit small scale production by-right and centers for collecting recyclable materials, clean technologies, and transportation, trades, and services by conditional use. Since there is a floodplain in the center of the property, CS zoning could permit development closer to the public right-of-way with some industrial uses, which would be in keeping with the property's Future Land Use Map designation. While the infill score for this site is moderate, this zoning request has the potential to support Goal #3 of City Plan 2040 by potentially allowing for more compact, complete, and connected development. Any development would likely require an extension of N. Shiloh Dr., and may present an opportunity to connect the street with those to the southwest. The rezoning could also support Goal #6 of City Plan 2040 since permitting residential uses by-right could provide an opportunity for more attainable housing.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a score range between **4 and 5** out of 12 for this site. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station 6, 990 S. Hollywood Ave.)
- Near Sewer Main (two 8" mains on property)
- Near Water Main (6" and 8" mains on property)
- Near City Park (Hamestring Creek Trail Corridor)
- Near Paved Trail (Hamestring Creek Trail)

DISCUSSION:

At the January 24, 2022 Planning Commission meeting, a vote of 9-0-0 forwarded the request to City Council with a recommendation of approval. Commissioner Sharp made the motion and Commissioner Garlock seconded. Commissioners inquired about a future street connection along N. Shiloh Drive but offered little comment on the item, finding the request to be generally compatible with the area. No public comment was offered at the meeting.

BUDGET/STAFF IMPACT:

N/A

Attachments:

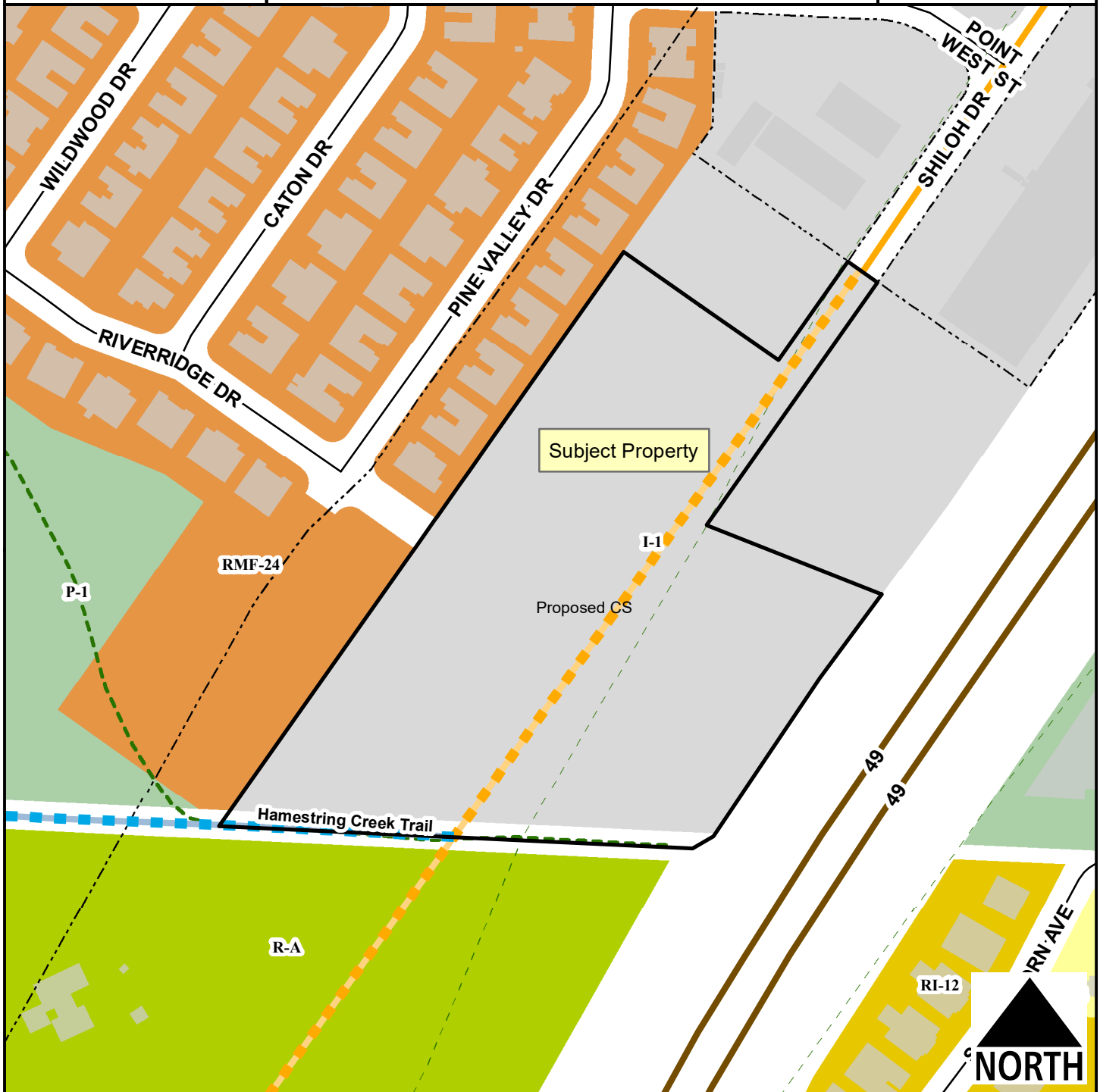
- Exhibit A
- Exhibit B
- Planning Commission Staff Report

RZN-2021-000089

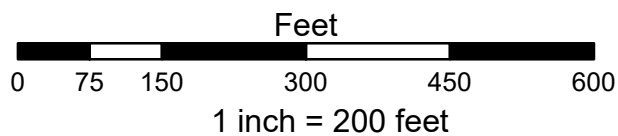
DDB Investments

RZN-2021-000089
EXHIBIT 'A'

Close Up View



- Neighborhood Link
- Freeway/Expressway
- - - Planned Neighborhood Link
- - - Planned Residential Link
- - - Trail (Proposed)
- Design Overlay District
- Planning Area
- Fayetteville City Limits



Zoning	Acres
CS	9.1
Total	9.1

RZN-2021-000089
EXHIBIT 'B'

RESULTING TRACT 1C

COMMENCING AT THE NORTHWEST CORNER OF TRACT 1B AS SHOWN ON TRACT SPLIT PLAT 2019-00030753; THENCE SOUTH 55°01'12" EAST A DISTANCE OF 259.70 FEET; THENCE SOUTH 54°59'28" EAST A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 35°05'57" WEST A DISTANCE OF 407.73; THENCE SOUTH 68°25'20" EAST A DISTANCE OF 258.62 TO THE WESTERN RIGHT OF WAY OF HIGHWAY 49; THENCE ALONG SAID RIGHT OF WAY THE FOLLOWING (3) THREE CALLS:

- (1) SOUTH 36°33'44" WEST A DISTANCE OF 143.49 FEET;
- (2) SOUTH 33°48'37" WEST A DISTANCE OF 261.95 FEET;
- (3) SOUTH 60°10'28" WEST A DISTANCE OF 32.99 FEET;

THENCE LEAVING SAID RIGHT OF WAY NORTH 87°19'34" WEST A DISTANCE OF 651.78 FEET; THENCE NORTH 35°09'00" EAST A DISTANCE OF 467.56 FEET TO THE EAST BOUNDARY OF PINE VALLEY PHASE I SUBDIVISION; THENCE ALONG SAID BOUNDARY NORTH 35°08'20" EAST A DISTANCE OF 498.07 FEET; THENCE LEAVING SAID BOUNDARY SOUTH 55°01'12" EAST A DISTANCE OF 259.70 FEET; THENCE NORTH 35°05'57" EAST A DISTANCE OF 165.69 FEET; THENCE SOUTH 54°59'28" EAST A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 9.11 ACRES MORE OR LESS.

SUBJECT TO THE RIGHT OF WAY OF SYCAMORE STREET ALONG THE SOUTH SIDE AND ANY EASEMENTS OF RECORD OR FACT.



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Gretchen Harrison, Planner

MEETING DATE: January 24, 2022 (Updated with results from 1/24/2022 PC hearing)

SUBJECT: **RZN-2021-000089: Rezone (SOUTH OF 1936 S. SHILOH DR./DDB INVESTMENTS, 363):** Submitted by BRAD PAYNE for properties located SOUTH OF 1936 S. SHILOH DR. The properties are zoned I-1, HEAVY COMMERCIAL & LIGHT INDUSTRIAL and contain approximately 9.11 acres. The request is to rezone the property to CS, COMMUNITY SERVICES.

RECOMMENDATION:

Staff recommends forwarding **RZN-2021-000089** to City Council with a recommendation of approval.

RECOMMENDED MOTION:

"I move to forward **RZN-2021-000089** to City Council with a recommendation of approval."

BACKGROUND:

The subject property is located south of W. Mount Comfort Road and west of I-49 at the point where N. Shiloh Drive dead-ends. The property contains approximately 9.11 acres; is zoned I-1, Heavy Commercial & Light Industrial; and is currently undeveloped. The property contains a through lot which has direct access to the Hamestring Creek Trail. A branch of the Hamestring Creek runs through the center of the property and roughly 22% of the site lies within a floodplain. Surrounding land uses and zoning are depicted in *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Offices/Duplexes	I-1, Heavy Commercial and Light Industrial; RMF-24, Residential Multi-Family – 24 Units per Acre
South	Natural Area	R-A, Residential-Agricultural
East	I-49 (State Right-of-Way)	N/A
West	Duplexes/Natural Area	RMF-24, Residential Multi-Family – 24 Units per Acre

Request: The request to rezone the property from I-1, Heavy Commercial & Light Industrial, to CS, Community Services. The applicant has not shared any specific development plans, though they have stated that rezoning will allow for a mix of housing types and densities.

Public Comment: Staff has not received any public comment on this item.

INFRASTRUCTURE AND ENVIRONMENTAL REVIEW

Streets: The subject area has frontage along N. Shiloh Drive and access to undeveloped City of Fayetteville right-of-way along the south side of the property. N. Shiloh Drive is a partially improved Neighborhood Link Street with asphalt paving, curb and gutter, and partial sidewalk. Any street improvements would be determined at the time of development proposal.

Water: Public water is available to the subject area. An existing eight-inch water main is present along the east side of the subject property running north and south, and another existing six-inch water main is present along the center of the property running east and west. There is an inaccessible existing 36-inch water main along the center of the property running north and south as well.

Sewer: Sanitary sewer is available to the subject area. An existing eight-inch sanitary sewer main is present along the west side of the subject property running north and south. Another eight-inch sanitary sewer main is present along the center of the property running east and west.

Fire: Fire apparatus access and fire protection water supplies will be reviewed for compliance with the Arkansas Fire Prevention Code at the time of development. Station 6, located at 990 S. Hollywood Avenue, protects this site. The property is located approximately 1.1 miles from the fire station with an anticipated drive time of approximately four minutes using existing streets. The anticipated response time would be approximately 6.2 minutes. Fire Department response time is calculated based on the drive time plus one minute for dispatch and 1.2 minutes for turn-out time. Within the city limits, the Fayetteville Fire Department has a response time goal of six minutes for an engine and eight minutes for a ladder truck.

Police: The Police Department expressed no concerns with this request.

Drainage: Any additional improvements or requirements for drainage will be determined at time of development. Floodplain is present on the east side of the subject property. A floodplain development review will be required at the time of permit or plan submittal. This will restrict the type of development and impact 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.

There is also a Streamside Protection Zone in the center of the subject property. Streamside Protection Zones generally consists 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, it will be 50 feet wide as measured from the top of bank but depending on the shape and extents 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.

Hydric soils are present in the center of the subject property. Hydric soils 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's 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.

Tree Preservation:

The proposed zoning district of CS, Community Services, requires **20% minimum canopy preservation**. The current zoning district of I-1, Heavy Commercial and Light Industrial, 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 as **Industrial Area**.

Industrial Areas are those areas where buildings by their intrinsic functions, disposition or configuration, cannot conform to one of the other designated areas and/or its' production process requires the area to be separated from other uses. The guiding policies of Industrial Areas are: noise, visual, air, water and other pollution shall be minimized through performance standards; new industry shall be recruited and encouraged to locate within the existing industrial park unless rail access is necessary to the industry; industrial zones that are not consistent with the Future Land Use Map should be rezoned to more appropriate uses; and encourage the use of "green" technologies to minimize noise, air, and water pollution.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a score range between **4 and 5** out of 12 for this site. Per the Planning Commission's Infill Matrix weighting, this represents an average weighted score of **4.5**. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station 6, 990 S. Hollywood Ave.)
- Near Sewer Main (two 8" mains on property)
- Near Water Main (6" and 8" main on property)
- Near City Park (Hamestring Creek Trail Corridor)
- Near Paved Trail (Hamestring Creek Trail)

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 subject property is located between a two-family residential subdivision to the west, undeveloped land and the Hamestring Creek Trail to the south, I-49 to the east, and professional offices to the north. A rezoning to CS, Community Services, would allow additional uses that are otherwise not permitted under the current I-1, Heavy Commercial & Light Industrial, zoning, such as single- and multi-family dwellings, accessory dwellings, and small-scale production. Since the

subject property is bordered by housing, offices, and a public trail, staff finds that the uses permitted by-right in CS are largely compatible with this location. CS zoning would allow for reduced setbacks with a build-to zone that is located between 10 and 25 feet from front property lines whereas current zoning requires a front setback of 25 feet. While there are many uses permitted in both the current and proposed zoning that could be of service to the surrounding residential and office developments, such as eating places and neighborhood shopping, CS would allow for development that is mixed-use and urban in form. The presence of a protected stream, floodplain, and hydric soils on the property will limit the size of any future development through additional reviews and approval.

Land Use Plan Analysis: Staff finds that the request may be inconsistent with adopted land use policies and the property's Future Land Use Map designation. The property is designated as an Industrial Area, which indicates an intent for an extension of the industrial park to the north. In terms of industrial uses, CS zoning would only permit small scale production by-right and centers for collecting recyclable materials, clean technologies, and transportation, trades, and services by conditional use. Since there is a floodplain in the center of the property, CS zoning could permit development closer to the public right-of-way with some industrial uses, which would be in keeping with the property's Future Land Use Map designation. While the infill score for this site is moderate, this zoning request has the potential to support Goal #3 of City Plan 2040 by potentially allowing for more compact, complete, and connected development. Any development would likely require an extension of N. Shiloh Dr., and may present an opportunity to connect the street with those to the southwest. The rezoning could also support Goal #6 of City Plan 2040 since permitting residential uses by-right could provide an opportunity for more attainable housing.

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

Finding: A rezoning from I-1 to CS is justified to allow for infill that is compatible with adjacent properties and sensitive to natural features. Rezoning would allow for more residential and less intense industrial uses that could lead to a more compact, complete, and connected neighborhood in this area.

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

Finding: Rezoning the property to CS does have the potential to create or appreciably increase traffic danger and congestion in this area. Given the size of the property, any development is likely to generate more traffic in this area, though it is worth noting that N. Shiloh Drive is currently a dead-end street. With that said, close access to a public trail, as well as the opportunity to bring a mix of uses to the area which could potentially cut down on automobile trips, does somewhat alleviate traffic concerns.

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 I-1 to CS could potentially increase the population density and, therefore, increase the load on public services. CS does not have a density maximum should residential uses be developed on the site. The property has direct access to water and sanitary sewer mains, which should be able to handle an increased load on public services resulting from future development.

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 approval of RZN-2021-000089.

PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>January 24, 2022</u>	<input type="checkbox"/> Tabled	<input checked="" type="checkbox"/> Forwarded with a recommendation of approval.	<input type="checkbox"/> Denied
Motion: Sharp			
Second: Garlock			
Vote: 9-0-0			

BUDGET/STAFF IMPACT:

None

Attachments:

- Unified Development Code:
 - §161.30, District I-1, Heavy Commercial and Light Industrial
 - §161.22, Community Services
 - Applicant Request Letter
 - One Mile Map
 - Close-up Map
 - Current Land Use Map
 - Future Land Use Map
-

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)

161.22 Community Services

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

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 13	Eating places
Unit 15	Neighborhood Shopping goods
Unit 18	Gasoline service stations and drive-in/drive through restaurants
Unit 24	Home occupations
Unit 25	Offices, studios and related services
Unit 26	Multi-family dwellings
Unit 40	Sidewalk Cafes
Unit 41	Accessory dwellings
Unit 44	Cluster Housing Development
Unit 45	Small scale production
Unit 46	Short-term rentals

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

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 14	Hotel, motel and amusement services
Unit 16	Shopping goods
Unit 17	Transportation, trades and services
Unit 18	Gasoline service stations and drive-in/drive-through restaurants
Unit 19	Commercial recreation, small sites
Unit 28	Center for collecting recyclable materials
Unit 34	Liquor stores
Unit 35	Outdoor music establishments
Unit 36	Wireless communication facilities*
Unit 42	Clean technologies

(C) *Density.* None.

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Dwelling	18 feet
All others	None

(2) *Lot Area Minimum.* None.

(E) *Setback regulations.*

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

(F) *Building Height Regulations.*

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

(Ord. No. 5312, 4-20-10; Ord. No. 5339, 8-3-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5735, 1-20-15; Ord. No. 5800 , §1(Exh. A), 10-6-15; Ord. No. 5921 , §1, 11-1-16; Ord. No. 5945 , §§5, 7—9, 1-17-17; Ord. No. 6015 , §1(Exh. A), 11-21-17; Ord. No. 6223 , §1, 9-3-19; Ord. No. 6409 §1, 2-2-21; Ord. No. 6427 , §§1(Exh. C), 2, 4-20-21)

Editor's note(s)—Ord. No. 6427 , § 2, adopted April 20, 2021, "determines that this ordinance and all amendments to Code sections ordained or enacted by this ordinance shall automatically sunset, be repealed, terminated, and become void twenty (20) months after the passage and approval of this ordinance, unless prior to that date, the City Council amends this ordinance to repeal this sunset, repeal and termination section."

The owner of the subject real estate, DDB Investments, LLC, an Arkansas limited liability company, is hereby respectfully requesting a change in zoning of parcels 765-13637-000 and 765-13631-000 in Fayetteville, Washington County, Arkansas. The two tracts are currently zoned I-1 and the owners are requesting a change to Community Services zoning.

This request is compatible with the City's Long Range Plan, in that the property:

- Is located between two City of Fayetteville identified Tier 2 Centers, one being the area of Wedington Drive and Steamboat Drive and the other in the Porter Road and Mt. Comfort Road area as shown on the City's Growth Concept Map
- Has been recognized as possessing a medium to high rating related to Infill Suitability. As stated in the City Plan 2040, infill and revitalization is a high priority.
- Is partially already located in a Residential Neighborhood Area as reflected in the City's Future Land Use Plan in the City Plan 2030

This property is adjoined by the Hamestring trail to the South. It is 0.3 miles to the Razorback Greenway; sidewalk accessible and 0.6 miles from the new Underwood Park.

These two parcels in addition to an adjacent third tract (parcel #765-13623-000), which is already zoned MF-24 and owned by the same owner are in the aggregate contiguous to a MF-24 zoned property that is comprised of an 82 unit duplex community.

The only remaining contiguous parcel that is not zoned MF-24 is a tract just to the north of the subject property. It is zoned I-1 and is owned by GTS, Inc., Mr. David Berry. In notifying Mr. Berry about our plans and a request for rezoning he has stated that he has no issue with the plan and would support our request.

The resulting proposed and existing housing mix (existing duplex and proposed Community Service zoning allowing for multi-family units) provide varied types, densities, and price points for the neighborhood. This will allow an economically and socially diverse area in which the residents will have access to housing at multiple price points thereby supporting individuals and families of varying incomes. Thus, this complies and meets Goal 6 of the City's Plan "The City will create opportunities for attainable housing."

We believe that the requested change in zoning is proper and important to the growth of the area and that it meets the goals of City Plan 2040. This use provides a fantastic infill opportunity, it will discourage suburban sprawl, it will provide a mixed-use housing area that can adapt and grow over time and allow residents to live, work and play with a decreased reliance on vehicular traffic, it will have a green network with the access it has to trails, parks and greenways and it provides attainable housing.

Thank you for your consideration.

DDB Investments, LLC

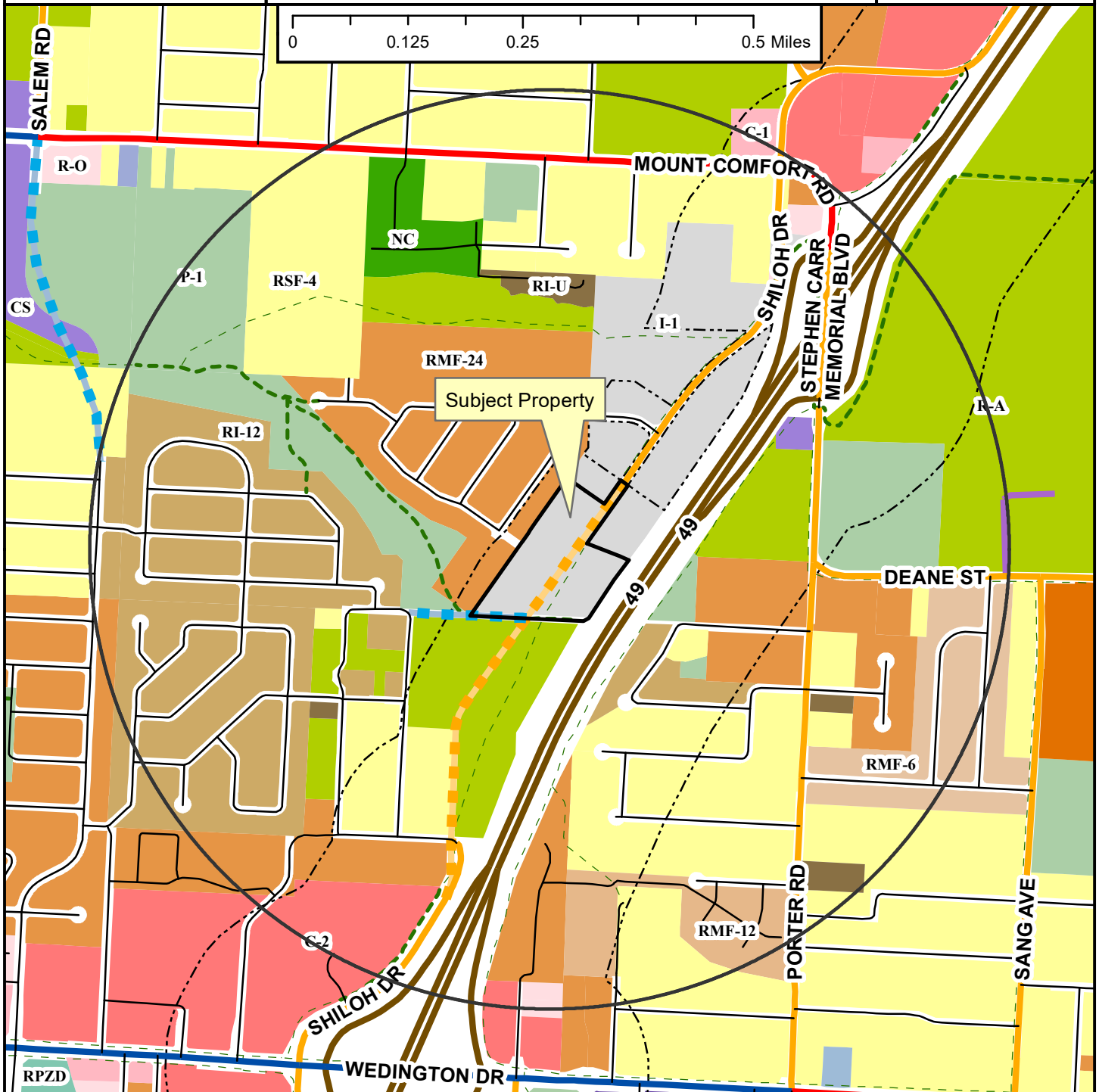
RZN-2021-000089

DDB Investments

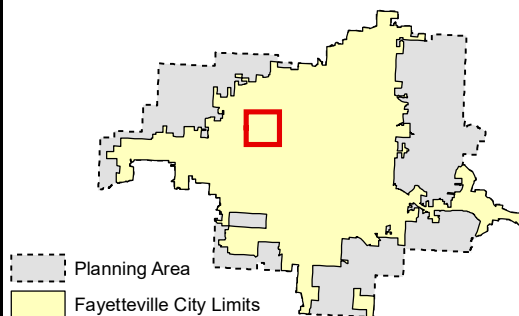
One Mile View



0 0.125 0.25 0.5 Miles



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

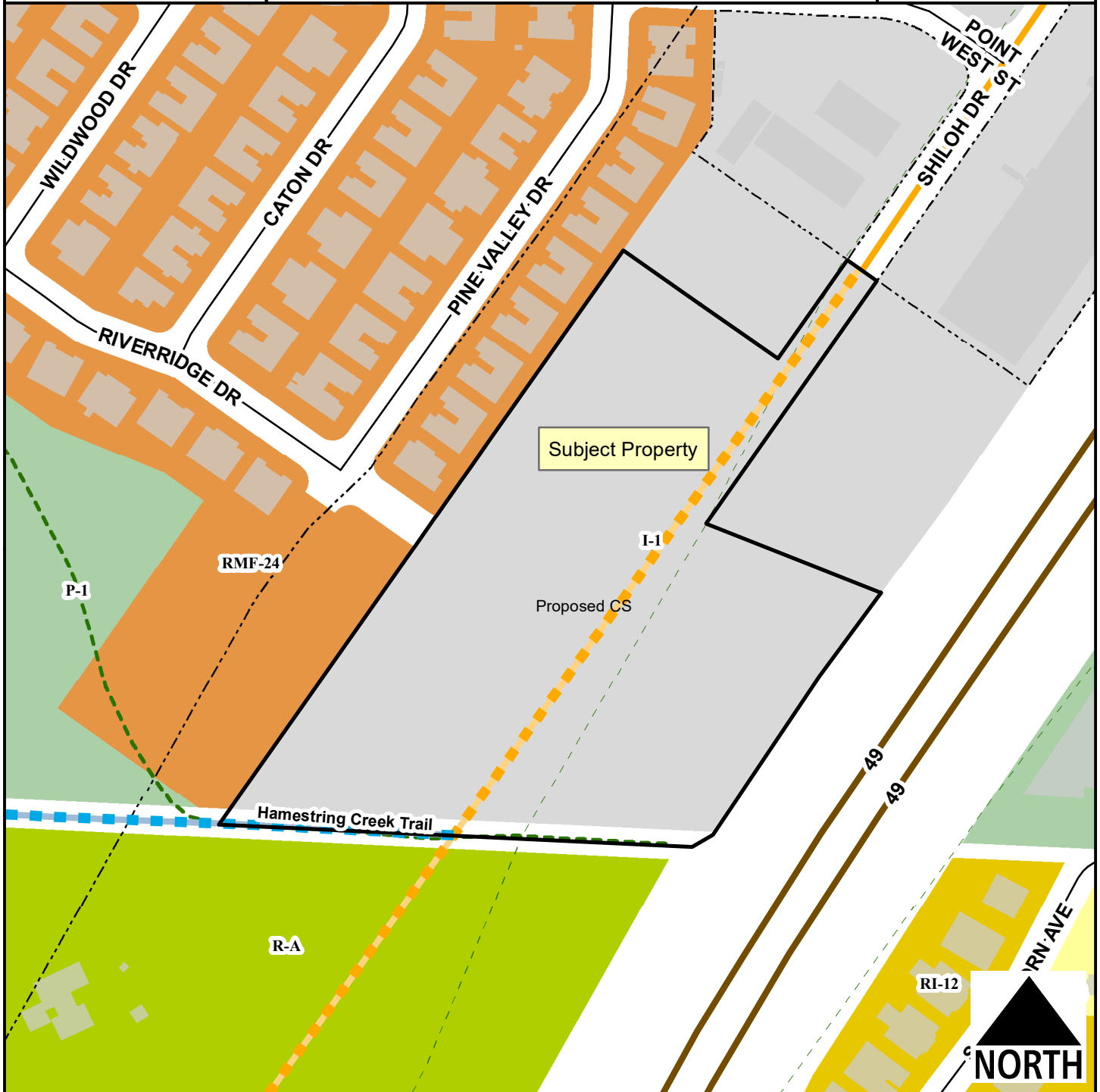


- Zoning**
- RESIDENTIAL SINGLE-FAMILY**
 - NS-G
 - RI-U
 - RI-12
 - NS-L
 - Residential-Agricultural
 - RSF-5
 - RSF-1
 - RSF-2
 - RSF-4
 - RSF-7
 - RSF-8
 - RSF-18
 - RESIDENTIAL MULTI-FAMILY**
 - RMF-6
 - RMF-12
 - RMF-18
 - RMF-24
 - RMF-40
 - INDUSTRIAL**
 - I-1 Heavy Commercial and Light Industrial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

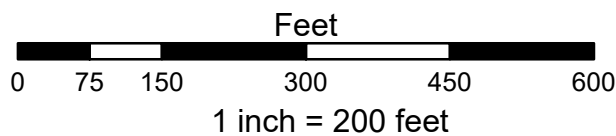
RZN-2021-000089

DDB Investments

Close Up View



- Neighborhood Link
- Freeway/Expressway
- - - Planned Neighborhood Link
- - - Planned Residential Link
- - - Trail (Proposed)
- Design Overlay District
- Planning Area
- Fayetteville City Limits

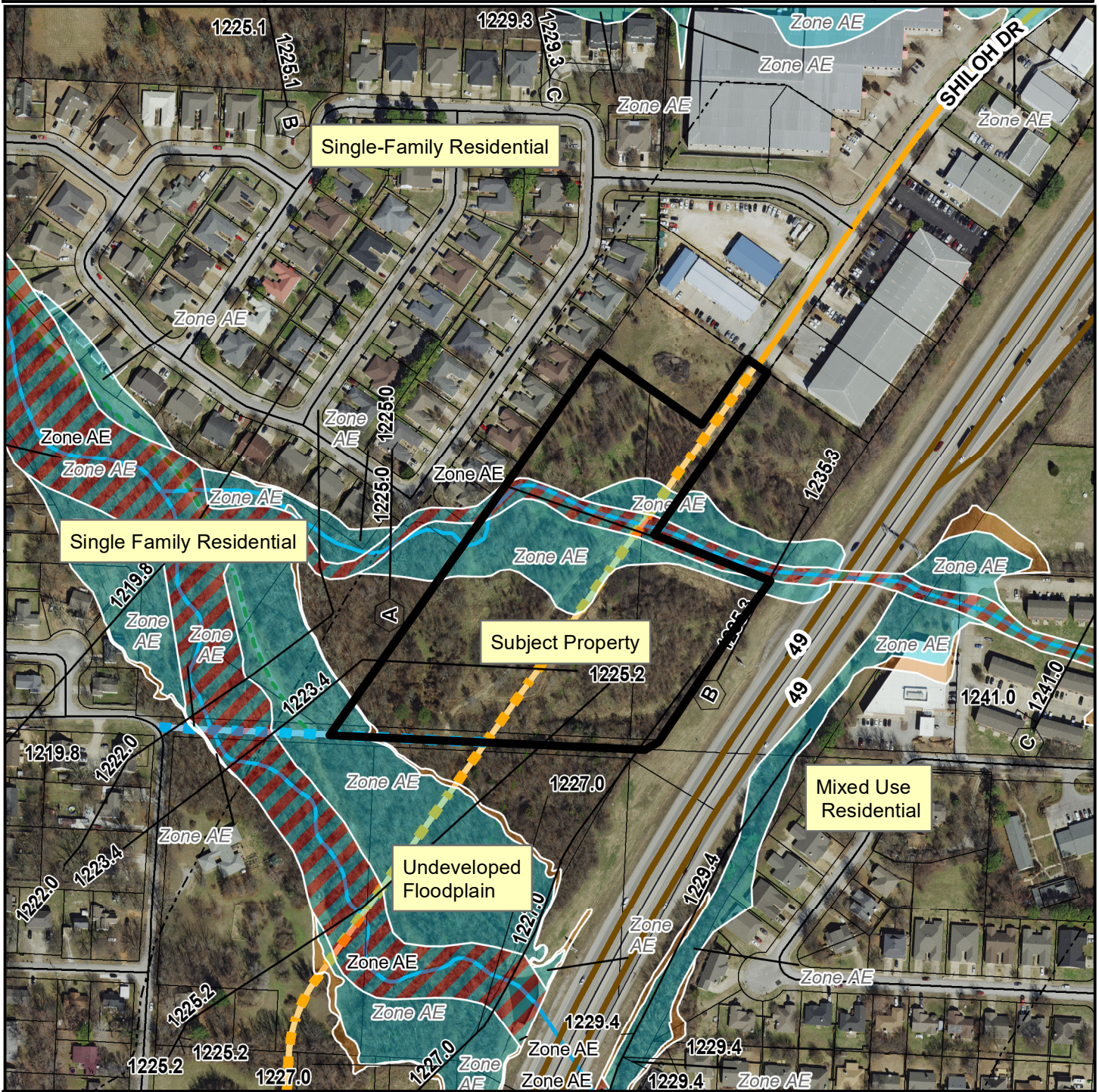










<u>Zoning</u>	<u>Acres</u>
CS	9.1
Total	9.1

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DDB Investments

Current Land Use

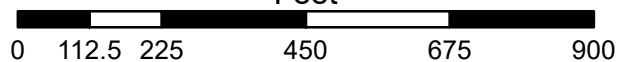


-  Neighborhood Link
-  Freeway/Expressway
-  Planned Neighborhood Link
-  Planned Residential Link
-  Trail (Proposed)
-  Planning Area
-  Fayetteville City Limits
-  Design Overlay District

FEMA Flood Hazard Data

-  100-Year Floodplain
 Floodway

Feet

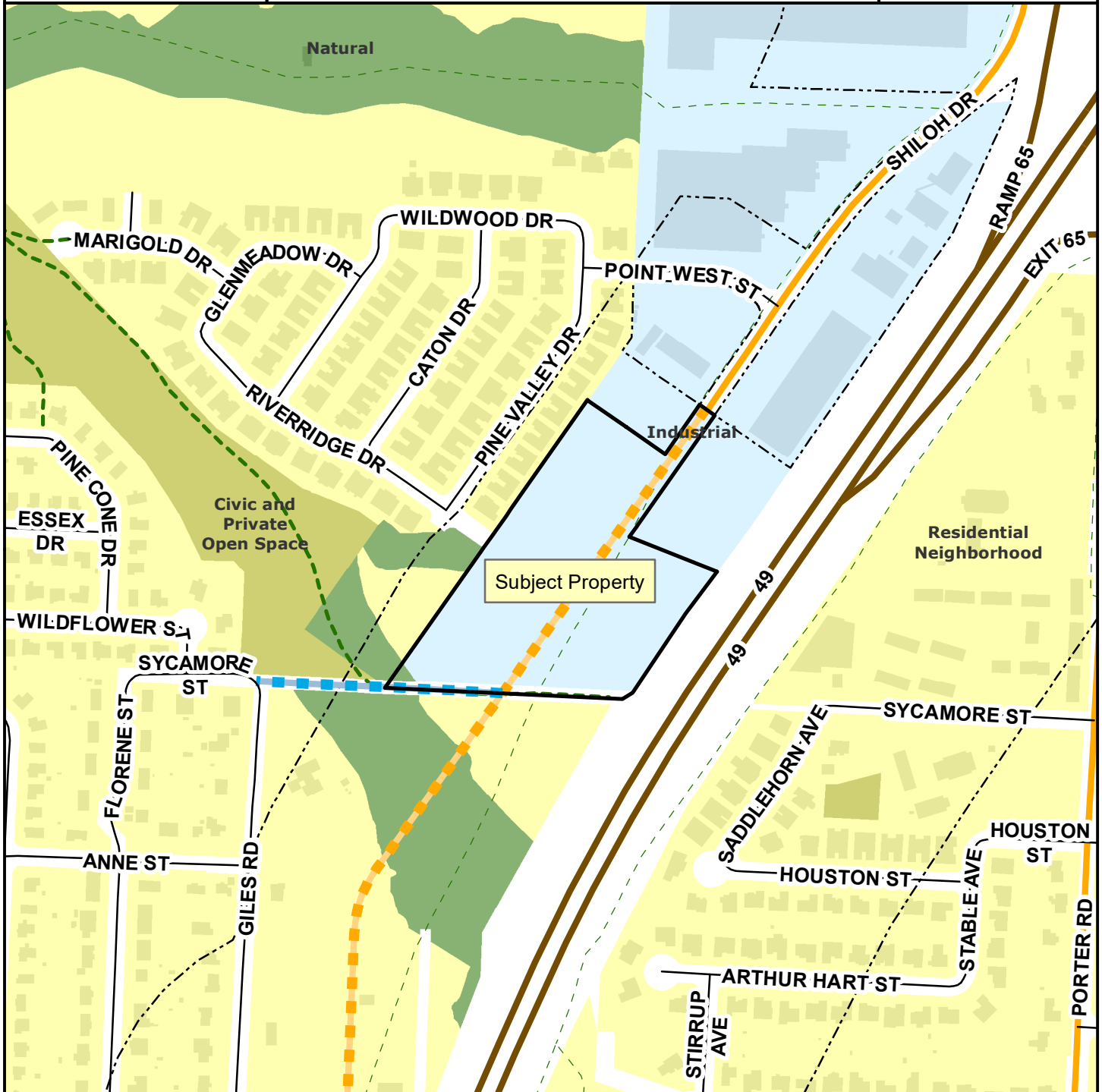


1 inch = 300 feet

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DDB Investments

Future Land Use



- Neighborhood Link
- Freeway/Expressway
- Planned Neighborhood Link
- Planned Residential Link
- Planning Area
- Fayetteville City Limits
- Trail (Proposed)
- Design Overlay District

Feet

0 145 290 580 870 1,160

1 inch = 400 feet

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