

City of Fayetteville Staff Review Form

2022-0496

Legistar File ID

6/21/2022

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

Jonathan Curth

6/3/2022

DEVELOPMENT REVIEW (630)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

RZN-2022-0021: Rezoning (S. HAPPY HOLLOW ROAD/BLACK PINE CONSTRUCTION AND DEVELOPMENT, 526)  
Submitted by HALL ESTILL ATTORNEYS for property located at S. HAPPY HOLLOW ROAD in WARD 1. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, 4 UNITS PER ACRE and contains approx. 3.1 acres. The request is to rezone the property to NC, NEIGHBORHOOD CONSERVATION.

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 JUNE 21, 2022**

**TO:** Mayor; Fayetteville City Council

**THRU:** Susan Norton, Chief of Staff  
Jonathan Curth, Development Services Director

**FROM:** Jessie Masters, Development Review Manager

**DATE:** June 3, 2022

**SUBJECT:** **RZN-2022-0021: Rezoning (S. HAPPY HOLLOW ROAD/BLACK PINE CONSTRUCTION AND DEVELOPMENT, 526)** Submitted by HALL ESTILL ATTORNEYS for property located at S. HAPPY HOLLOW ROAD in WARD 1. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, 4 UNITS PER ACRE and contains approx. 3.1 acres. The request is to rezone the property to NC, NEIGHBORHOOD CONSERVATION.

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**RECOMMENDATION:**

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

**BACKGROUND:**

The subject property is in east Fayetteville along S. Happy Hollow Drive, approximately 2000 feet north of the intersection with E. Huntsville Road, and approximately 800 feet south of the Mt. Sequoyah Woods trailhead. Containing just over 3.0 acres, the property is currently developed with a single-family dwelling that County records indicate was constructed in 1936. A request to rezone the property to RI-U, Residential Intermediate, Urban was brought forward in August 2021 which was ultimately denied by the Planning Commission (RZN-2021-000057).

*Request:* The request is to rezone the property from RSF-4, Residential Single-Family, 4 Units per Acre, to NC, Neighborhood Conservation. The applicant has not submitted an associated development proposal.

*Public Comment:* Staff received public comment in opposition to this request. Comments were centered around a desire for the area to maintain its current zoning district, and concerns about added traffic, parking, noise, and drainage issues that additional development would bring to the area.

*Land Use Compatibility:* The property is largely surrounded by a mix of residential development, ranging from slightly higher density single-family dwellings to the northwest of the site and duplexes to the northeast, to very low density single-family dwellings and undeveloped property along S. Happy Hollow Road to the south and to the west. The available infrastructure to the immediate site is limited; S. Happy Hollow Road is unimproved at this location, and the lot

currently does not have direct access to sewer. The lot pattern in the area is irregular in the surrounding area; immediately to the south there are 6 residential lots with over 100 feet of frontage, and to the west the lot sizes and shapes vary greatly. Given the three acre site, staff finds that the current zoning designation would allow for the addition of 12 single-family dwellings at this location from a density perspective; staff finds that a rezone to NC, Neighborhood Conservation, would increase the density on the site an incremental amount to 10 units per acre, or a maximum of 31 residential units. Staff finds that from a use perspective, the zoning districts are close to identical indicating that this rezoning request would likely be compatible.

*Land Use Plan Analysis:* Staff finds that the request is consistent with adopted land use policies, the Future Land Use Map designation, and goals of City Plan 2040. The area is designated as a Residential Neighborhood Area, which calls for a mix of housing types in appropriate areas. Given that the neighborhood currently does not have a strong regulating pattern in the area, and has a mix of housing types already, staff finds that bringing NC zoning at this location would be compatible. The infill score is somewhat moderate, which appears to be in line with the applicant's request to Neighborhood Conservation, which would allow for an incremental increase in density.

**CITY PLAN 2040 INFILL MATRIX:** City Plan 2040's Infill Matrix indicates a score of **4-6** 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. Happy Hollow Road)
- Near Water Main (S. Happy Hollow Road)
- Near Public School (Happy Hollow Elementary)
- Near City Park (Mt. Sequoyah Woods)
- Near ORT Bus Stop (Route 20, S. Happy Hollow Road)

#### **DISCUSSION:**

At the May 23, 2022 Planning Commission meeting, a vote of 4-2-1 forwarded the request to City Council with a recommendation of approval. Commissioners Madden and Garlock voted against the request, and Commissioner Brink recused. Commissioners opposed to the request were concerned that adding density here without an opportunity to connect to the east or north would potentially add too much of a traffic burden to S. Happy Hollow Road, and did not meet the ultimate goals of form-based design. Commissioners in favor suggested that NC, Neighborhood Conservation was intended to be a form-based response to a typical RSF-4 zoning district, and that S. Happy Hollow Road ultimately connected out to N. Crossover Road, and south to E. Huntsville Road. Commissioners in favor also contended that the added density was incremental, and was in line with the future land use plans for the area. One member of the public spoke against the item at the meeting, expressing concerns about how the neighborhood was being conserved through this request, and concerns about traffic and drainage impacts.

#### **BUDGET/STAFF IMPACT:**

N/A

**Attachments:**

- Exhibit A
- Exhibit B
- Planning Commission Staff Report

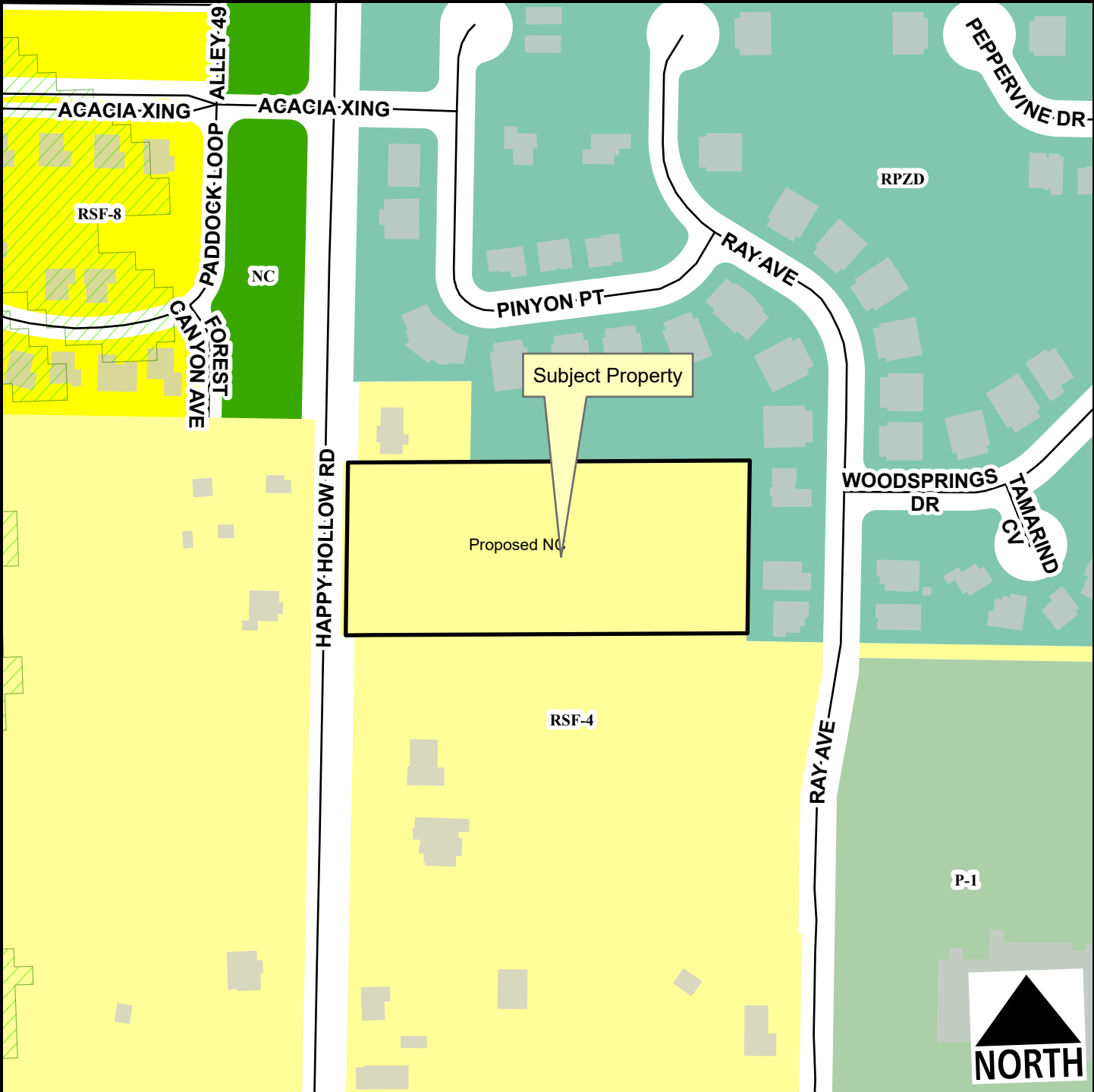
RZN-2022-0021
<i>Close Up View</i>








ALLEY 49

**RZN-2022-0021**

**EXHIBIT 'A'**  
RZN-2022-0021



 Alley  
 Residential Link  
 Hillside-Hilltop Overlay District  
 Planning Area  
 Fayetteville City Limits

Feet

0 75 150 300 450 600

1:2,400

<u>Zoning</u>	<u>Acres</u>
NC	3.0

1008 J. H. Garman

<b>Total</b>	<b>3.0</b>
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**EXHIBIT 'B'**  
RZN-2022-0021

**Black Pine/Happy Hollow Property Description**

A part of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of Section 14, Township 16 North, Range 30 West, Washington County, Arkansas, being more particularly described as follows, to-wit: Beginning at a point S00°33'W 753.00 feet and N89°28'36"E 43.14 feet from the NW corner of said 40 acre tract, and running thence N89°28'36"E 551.49 feet; thence S00°33'W 237.00 feet; thence S89°28'36"W 551.49 feet; thence N00°33'E 237.00 feet to the point of beginning.

Subject to easements, right-of-ways, and protective covenants of record, if any.  
Subject to all prior mineral reservations and oil and gas leases, if any.



**TO:** Fayetteville Planning Commission

**FROM:** Jessie Masters, Development Review Manager

**MEETING DATE:** May 23, 2022 **Updated with PC hearing results from May 23, 2022**

**SUBJECT:** **RZN-2022-0021: Rezoning (S. HAPPY HOLLOW ROAD/BLACK PINE CONSTRUCTION AND DEVELOPMENT, 526)** Submitted by HALL ESTILL ATTORNEYS for property located at S. HAPPY HOLLOW ROAD. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, 4 UNITS PER ACRE and contains approx. 3.1 acres. The request is to rezone the property to NC, NEIGHBORHOOD CONSERVATION.

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**RECOMMENDATION:**

Staff recommends forwarding **RZN-2022-0021** to City Council with a recommendation of approval.

**RECOMMENDED MOTION:**

"I move to forward **RZN-2022-0021** to City Council with a recommendation of approval."

**BACKGROUND:**

The subject property is in east Fayetteville along S. Happy Hollow Drive, approximately 2000 feet north of the intersection with E. Huntsville Road, and approximately 800 feet south of the Mt. Sequoyah Woods trailhead. Containing just over 3.0 acres, the property is currently developed with a single-family dwelling that County records indicate was constructed in 1936. A request to rezone the property to RI-U, Residential Intermediate, Urban was brought forward in August 2021 which was ultimately denied by the Planning Commission (RZN-2021-000057). Surrounding land uses and zoning is depicted in *Table 1*.

**Table 1**  
**Surrounding Land Use and Zoning**

Direction	Land Use	Zoning
North	Mixed-Density Residential	RSF-4, Residential Single-Family, 4 Units per Acre; RPZD, Residential Planned Zoning District (Timber Trails)
South	Undeveloped	RSF-4, Residential Single-Family, 4 Units per Acre
East	Single-Family Residential	RPZD, Residential Planned Zoning District (Timber Trails)
West	Single-Family Residential	RSF-4, Residential Single-Family, 4 Units per Acre

**Request:** The request is to rezone the property from RSF-4, Residential Single-Family, 4 Units per Acre, to NC, Neighborhood Conservation. The applicant has not submitted an associated development proposal.

**Public Comment:** To date, staff has not received any public comment on the item.

## INFRASTRUCTURE AND ENVIRONMENTAL REVIEW

- Streets:** The subject area has frontage along the east side of South Happy Hollow Road. South Happy Hollow Road is a partially improved Residential Link street with asphalt paving and open ditches. 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. An existing 2.25-inch water main is present along the east side of South Happy Hollow Road.
- Sewer:** Sanitary sewer is not available to the subject area.
- 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 3, located at 1050 S. Happy Hollow Rd., protects this site. The property is located approximately 0.5 miles from the fire station with an anticipated drive time of approximately 2 minutes using existing streets. The anticipated response time would be approximately 4.2 minutes. Fire Department response time is calculated based on the drive time plus 1 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 6 minutes for an engine and 8 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. No portion of the property is within the Hillside-Hilltop Overlay District, nor is there a protected stream in the area, or hydric soils present. The property does not lie within a FEMA floodplain.

### Tree Preservation:

The proposed zoning district of NC, Neighborhood Conservation requires **20% 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 **Residential Neighborhood Area**.

**Residential Neighborhood Areas** are primarily residential in nature and support a wide variety of housing types of appropriate scale and context: single-family, duplexes, rowhouses, multifamily and accessory dwelling units. Residential Neighborhood encourages highly connected, compact blocks with gridded street patterns and reduced building setbacks. It also encourages traditional neighborhood development that incorporates low-intensity non-residential uses intended to serve the surrounding neighborhoods, such as retail and offices, on corners and along connecting corridors. This designation recognizes existing conventional subdivision developments which may have large blocks with conventional setbacks and development patterns that respond to features of the natural environment. Building setbacks may vary depending on the context of the existing neighborhood.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a score of **4-6** 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. Happy Hollow Road)
- Near Water Main (S. Happy Hollow Road)
- Near Public School (Happy Hollow Elementary)
- Near City Park (Mt. Sequoyah Woods)
- Near ORT Bus Stop (Route 20, S. Happy Hollow Road)

## 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 property is largely surrounded by a mix of residential development, ranging from slightly higher density single-family dwellings to the northwest of the site and duplexes to the northeast, to very low density single-family dwellings and undeveloped property along S. Happy Hollow Road to the south and to the west. The available infrastructure to the immediate site is limited; S. Happy Hollow Road is unimproved at this location, and the lot currently does not have direct access to sewer. The lot pattern in the area is irregular in the surrounding area; immediately to the south there are 6 residential lots with over 100 feet of frontage, and to the west the lot sizes and shapes vary greatly. Given the three acre site, staff finds that the current zoning designation would allow for the addition of 12 single-family dwellings at this location from a density perspective; staff finds that a rezone to NC, Neighborhood Conservation, would increase the density on the site and incremental amount to 10 units per acre, or a maximum of 31 residential units. Staff finds that from a use perspective, the zoning districts are close to identical indicating that this rezoning request would likely be compatible.

***Land Use Plan Analysis:*** Staff finds that the request is consistent with adopted land use policies, the Future Land Use Map designation, and goals of City Plan 2040. The area is designated as a Residential Neighborhood Area, which calls for a mix of housing types in appropriate areas. Given that the neighborhood currently does not have a strong regulating housing type in the area, and has a mix of housing types already, staff finds that bringing NC zoning at this location would be compatible. The infill score is somewhat moderate for the area, which appears to be in line with the applicant's request to Neighborhood Conservation, which would allow for an incremental increase in density.

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

**Finding:** The applicant did not offer a specific development proposal along with this request. Staff finds that a rezone from RSF-4 to NC is consistent with long-term land use plans, and is reflective of the current land use surroundings, as well as the future land use plans, therefore making this request justified from staff's perspective.

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

**Finding:** Rezoning the property from RSF-4 to NC would increase traffic at this location. Somewhat ameliorating this concern is the direct access to Ozark Regional Transit Route 20, which directly services this location.

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 NC would have the potential to increase the population density, since NC does allow for an additional density allowance of 10 units per acre. Staff finds that this request is still compatible with the location, and would not place an undue burden on public services. Additional water and sewer line extensions would be at the applicant's expense.

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-2022-0021.

<b>PLANNING COMMISSION ACTION:</b> Required <u>YES</u>			
Date: <u>May 23, 2022</u>	<input type="checkbox"/> Tabled	<input checked="" type="checkbox"/> Forwarded	<input type="checkbox"/> Denied
Motion: <u>Winston</u>	with a recommendation of approval.		
Second: <u>Canada</u>			
Vote: <u>4-2-1</u>	(Commissioners Madden and Garlock voted to deny; Commissioner Brink recused).		

**BUDGET/STAFF IMPACT:**

None

**Attachments:**

- Unified Development Code:
  - §161.07 District RSF-4, Residential Single-Family - Four (4) Units Per Acre
  - §161.29 Neighborhood Conservation
- Applicant Request Letter
- One Mile Map
- Close-up Map
- Current Land Use Map
- Future Land Use Map

Public Comment (added May 24, 2022)

**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
Unit 46	Short-term rentals

(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; 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."

### 161.29 Neighborhood Conservation

- (A) *Purpose.* The Neighborhood Conservation zone has the least activity and a lower density than the other zones. Although Neighborhood Conservation is the most purely residential zone, it can have some mix of uses, such as civic buildings. Neighborhood Conservation serves to promote and protect neighborhood character. For the purposes of Chapter 96: Noise Control, the Neighborhood Conservation district is a residential zone.

- (B) *Uses.*

- (1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings
Unit 46	Short-term rentals

- (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 9	Two (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 12a	Limited business*
Unit 24	Home occupations
Unit 25	Offices, studios, and related services
Unit 28	Center for collecting recyclable materials
Unit 36	Wireless communication facilities
Unit 44	Cluster Housing Development

- (C) *Density.* Ten (10) Units Per Acre.

- (D) *Bulk and Area Regulations.*

- (1) *Lot Width Minimum.*

All dwelling types	40 feet
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- (2) *Lot Area Minimum.* 4,000 square feet

(E) *Setback Regulations.*

Front	A build-to zone that is located between the front property line and a line 25 feet from the front property line.
Side	5 feet
Rear	5 feet
Rear, from center line of an alley	12 feet

(F) *Building Height Regulations.*

Building Height Maximum	3 stories
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(Ord. No. 5128, 4-15-08; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; 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. 6211 , §1, 8-6-19; 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."

April 8, 2022

**GIS Approved**  
tjorgensen 04/15/2022 12:32:11

**VIA PORTAL DELIVERY**

City of Fayetteville Planning Commission and Planning Department  
125 West Mountain Street  
Fayetteville, Arkansas 72701

**Description approval  
uploaded to EnerGov**

Re: Rezoning of Parcel No. 765-14301-000; 248 S. Happy Hollow Road  
From RSF-4 to NC

Dear To Whom It May Concern:

This letter is in regard to rezoning parcel 765-14301-000 from its current designation of RSF-4 to Neighborhood Commercial (NC). NC is designed primarily to provide convenience goods and personal services for persons living in the surrounding residential areas. Further the intent of this district is to allow administrative approval of development in some cases.

Further, the NC designation is in line with future land use plans for this area which is Residential Neighborhood. With additional homes to be built in this area we believe the proposed rezoning will benefit the future residents providing close by commercial services. Further, it will not unreasonably affect in any adverse way the surrounding land uses.

Sincerely yours,

Hall, Estill, Hardwick, Gable, Golden &  
Nelson, P.C.

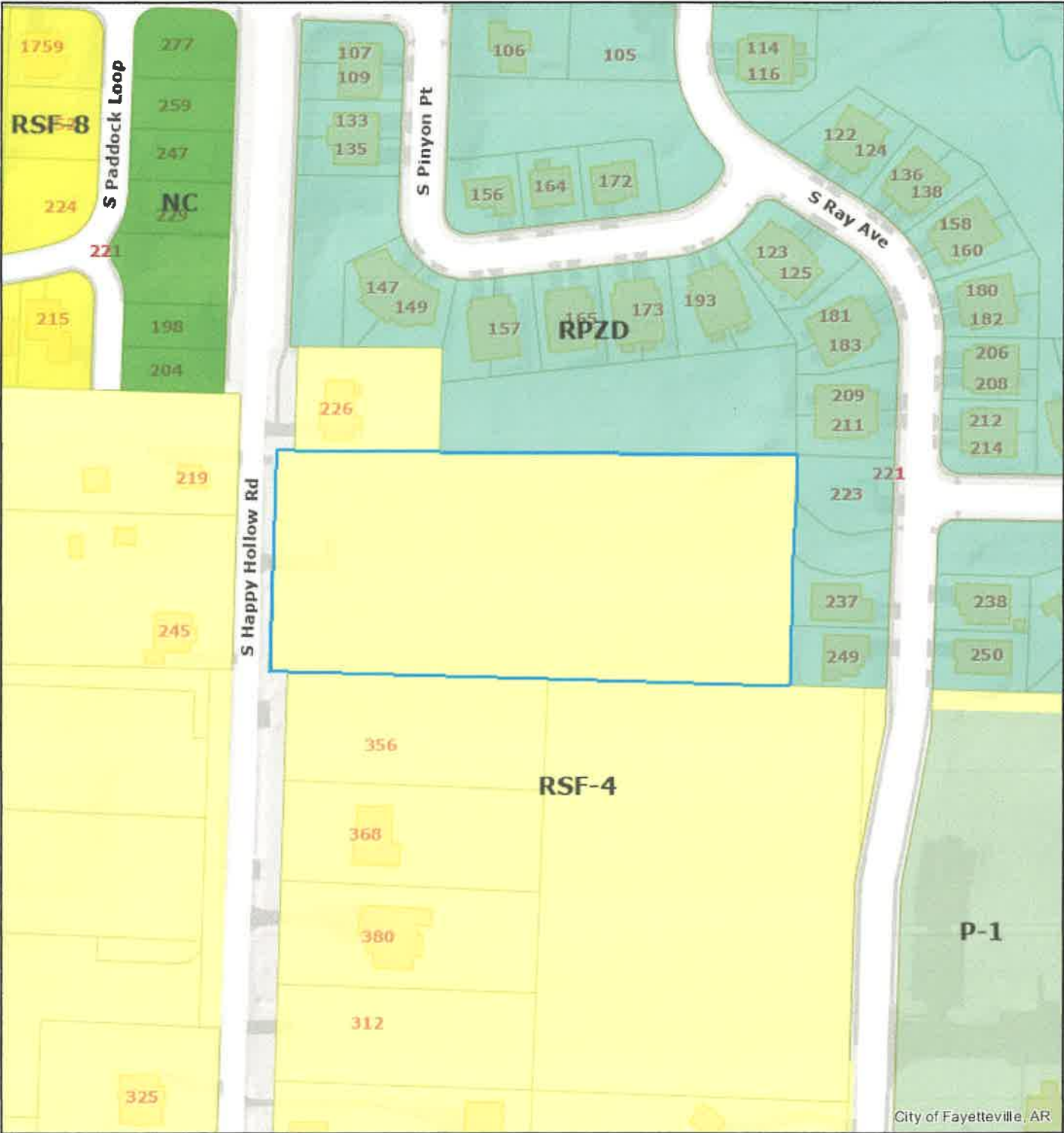


Robert K. Rhoads

RKR:slt

Cc: Client  
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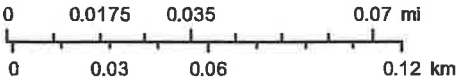
# Black Pine/Happy Hollow



4/1/2022, 2:29:42 PM

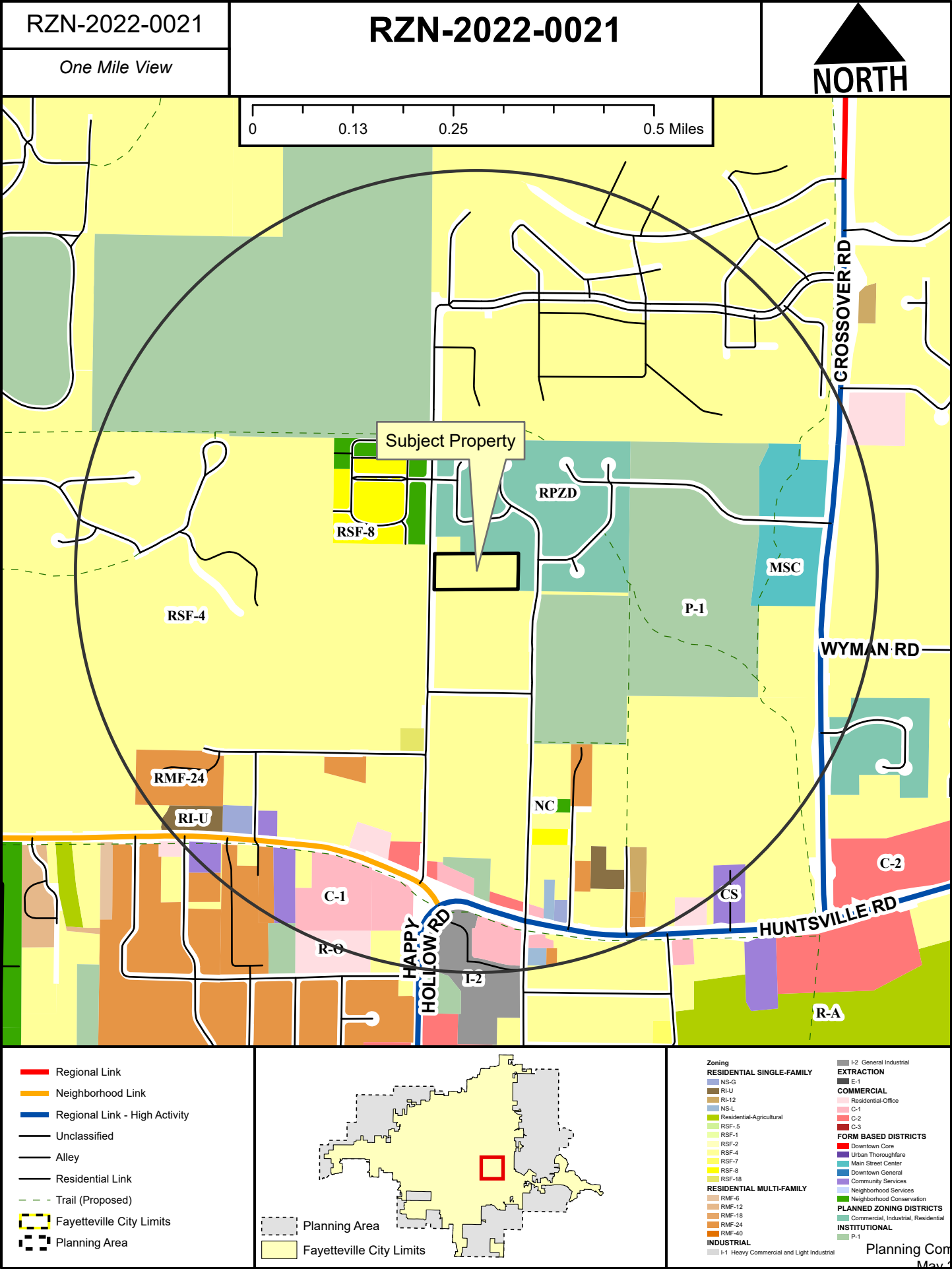
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Zoning		RSF-8	RMF-24	C-2	NS-L
R-A		RSF-18	RMF-40	C-3	NS-G
RSF-.5		RI-12	I-1	DC	NC
RSF-1		RI-U	I-2	UT	PZD
RSF-2		RMF-6	E-1	MSC	P-1
RSF-4		RMF-12	R-O	DG	
RSF-7		RMF-18	C-1	CS	



The data contained herein was compiled from various sources for the sole use and benefit of the City of Fayetteville Geographic Information System and the public agencies it serves. Any use of the data by anyone other than the City of Fayetteville is at the sole risk of the user; and by acceptance of this data, the user does hereby agree to indemnify the City of Fayetteville and hold the City of Fayetteville harmless from and without liability for any claims, actions, cost for damages of any nature, including the city's cost of defense, asserted by user or by another arising from the use of this data. The City of Fayetteville makes no express or implied warranties with reference to the data. No word, phrase, or clause found herein shall be construed to waive that tort immunity set forth under Arkansas Planning Commission

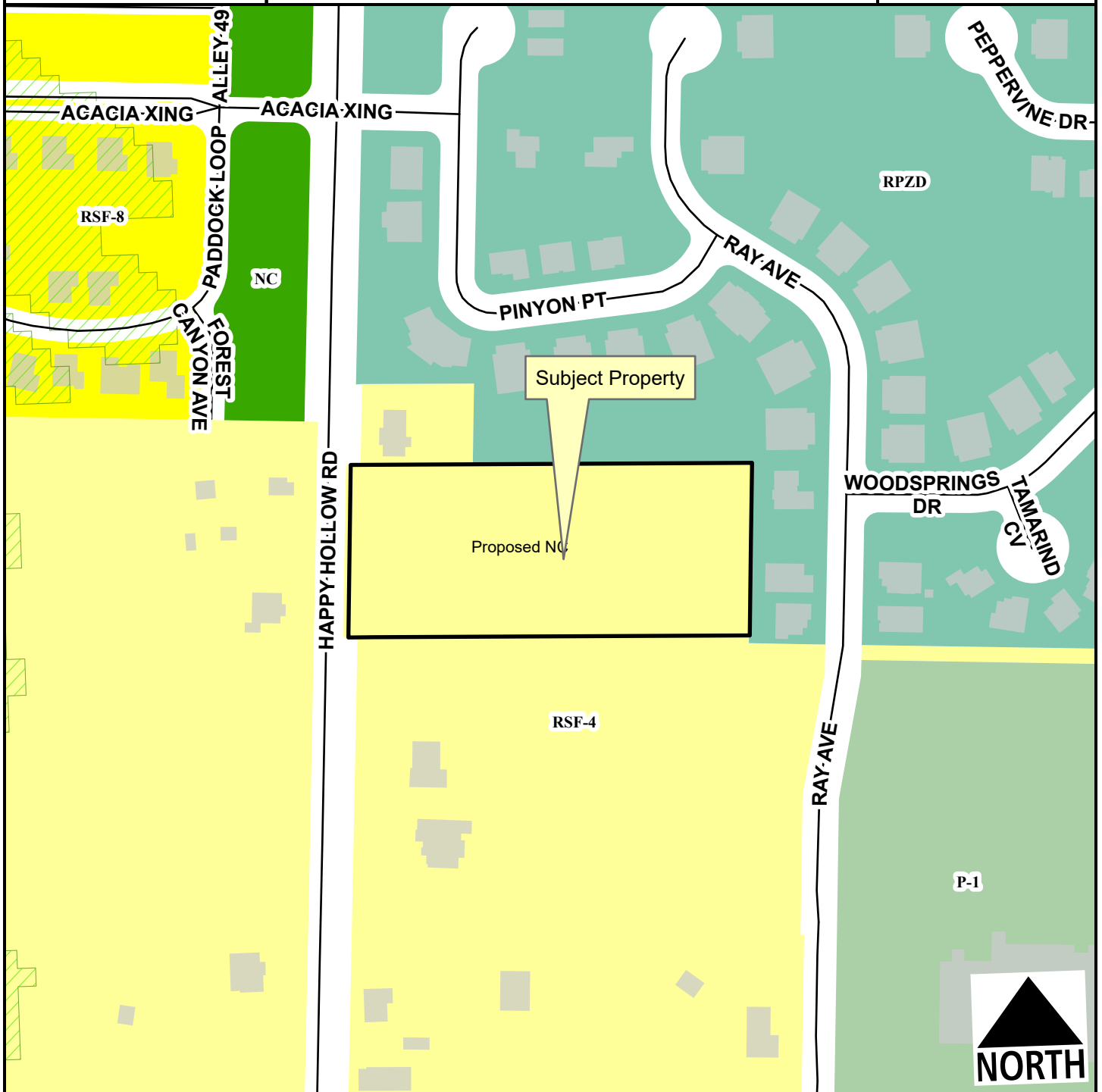




RZN-2022-0021

**RZN-2022-0021**

*Close Up View*



 Alley  
 Residential Link  
 Hillside-Hilltop Overlay District  
 Planning Area  
 Fayetteville City Limits

Feet

0 75 150 300 450 600

1:2,400

<u>Zoning</u>	<u>Acres</u>
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NC 3.0

**Total 3.0**

Planning Commission  
May 23, 2022



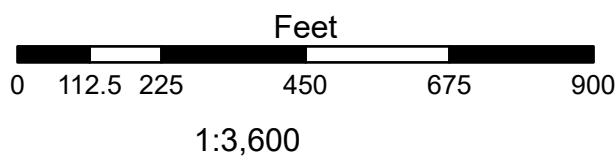
RZN-2022-0021

RZN-2022-0021

Current Land Use



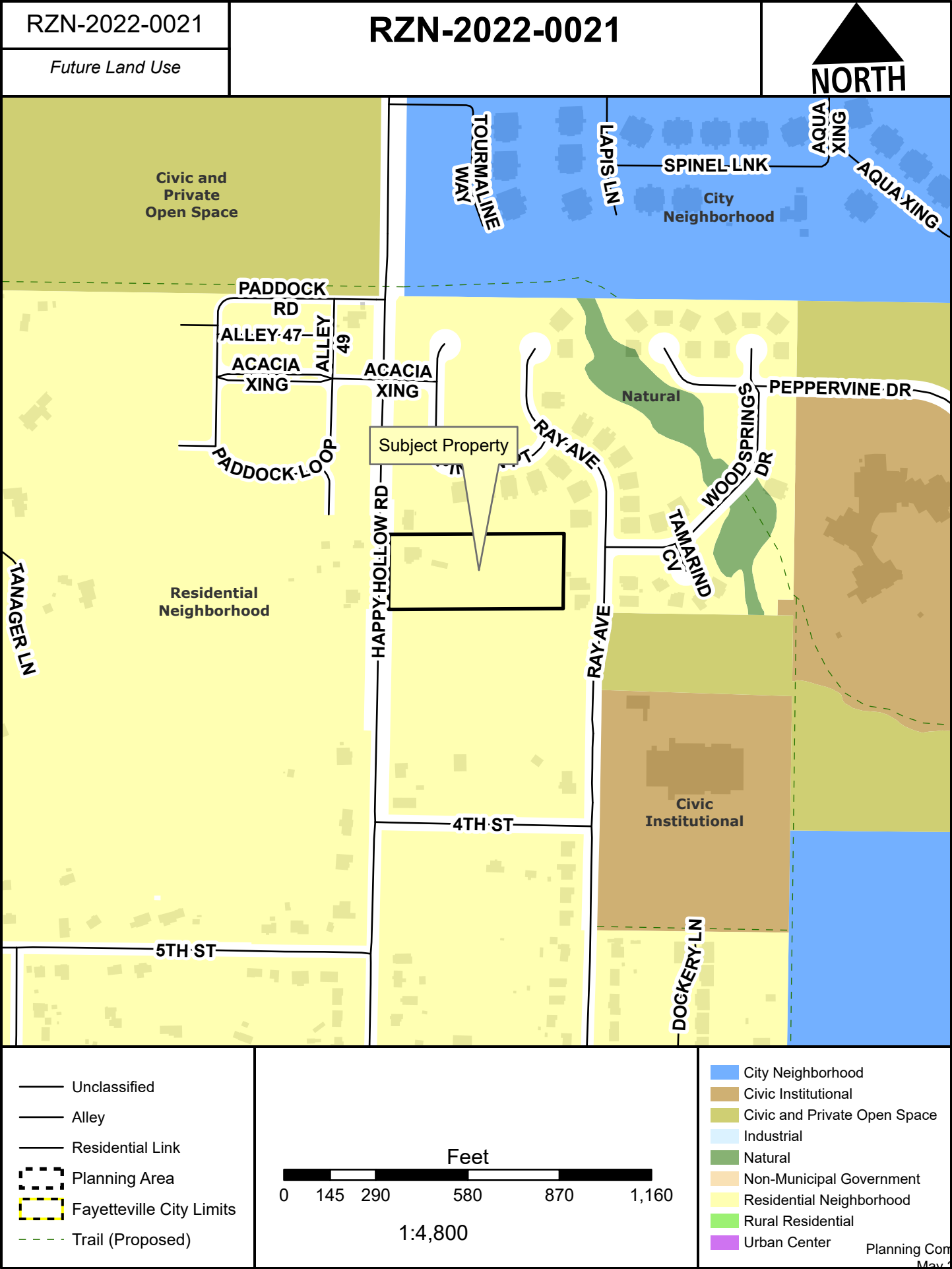
- Unclassified
- Alley
- Residential Link
- - - Trail (Proposed)
- - - Planning Area
- - - Fayetteville City Limits



**FEMA Flood Hazard Data**

- 100-Year Floodplain
- Floodway





## Masters, Jessica

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**From:** Planning Shared  
**Sent:** Monday, May 23, 2022 1:59 PM  
**To:** Masters, Jessica  
**Subject:** FW: rezoning land on happyhollow road. i have 5 acres that joins this property on the south and continues to 4th street. all property that joins me is single family and i would like for it to stay rsf-4.thanks. and continuing to 4th street

For you

Thank you

Mirinda Hopkins  
Development Coordinator  
Planning Division  
City of Fayetteville  
479-575-8267

[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#) | [YouTube](#)



**CITY OF  
FAYETTEVILLE  
ARKANSAS**

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**From:** bill rogers [mailto:bands1944@gmail.com]  
**Sent:** Monday, May 23, 2022 11:23 AM  
**To:** Planning Shared <planning@fayetteville-ar.gov>  
**Subject:** rezoning land on happyhollow road. i have 5 acres that joins this property on the south and continues to 4th street. all property that joins me is single family and i would like for it to stay rsf-4.thanks. and continuing to 4th street

**CAUTION:** This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

## Masters, Jessica

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**From:** Planning Shared  
**Sent:** Monday, May 23, 2022 1:54 PM  
**To:** Masters, Jessica  
**Subject:** FW: Rezone RZN 2002-0021

Please read below.

Thank you

Mirinda Hopkins  
Development Coordinator  
Planning Division  
City of Fayetteville  
479-575-8267

[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#) | [YouTube](#)



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**From:** Clint Hofer [mailto:chofer@slingfly.com]  
**Sent:** Monday, May 23, 2022 9:17 AM  
**To:** Planning Shared <planning@fayetteville-ar.gov>  
**Subject:** Rezone RZN 2002-0021

**CAUTION:** This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi, my name is Clint Hofer and I'm adjacent to this rezone on Happy Hollow Rd.

Although I'm not able to attend this hearing, I wanted to share my opinion that this property NOT be rezoned from RSF-4 to (NC).

As someone south of this property, the water drains onto my property and I've spent thousands of dollars in drainage and grading to try and control the water. A development like this would drastically affect my house and property.

Also, the amount of traffic, parking and noise would really really not fit with the quiet street Happy Hollow Road is.

The letter I received stressed that "commercial services" adding to our street would benefit the neighbors, but I disagree and strongly feel it would ruin the quiet family street it is.

There are many commercial services right around the corner on both Crossover and Huntsville.

Finally, I would ask everyone involved if they would want a rezoning like this directly next to their home and property...I feel the overwhelming thought would be "no".

Thank you for your consideration.

Clint  
368 S Happy Hollow Rd  
Fayetteville Ar 72701