



MEETING OF MARCH 7, 2023

TO: Mayor Jordan and City Council

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

FROM: Gretchen Harrison, Planner

DATE:

SUBJECT: **Appeal: RZN-2022-0054: Rezone (515 S. COLLEGE AVE./NIEDERMAN, 523): Submitted by 3V DEVELOPMENT LLC for property located at 515 S. COLLEGE AVE. in WARD 1. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 0.31 acres. The request is to rezone the property to DG, DOWNTOWN GENERAL.**

RECOMMENDATION:

City Planning staff recommends approval and the Planning Commission recommends denial of a request to rezone the subject property as described and shown below.

BACKGROUND:

The subject property is in south Fayetteville on the west side of College Avenue roughly 100 feet north of the street's intersection with Martin Luther King Jr. Boulevard. The property contains one parcel totaling 0.31 acres and is currently developed with one single-family dwelling which Washington County records indicate was built in 1885. The property lies within the Walker Park Neighborhood Master Plan area, and received its current zoning designation of NC, Neighborhood Conservation as a result of that plan in 2008.

Request: The request is to rezone the subject property from NC, Neighborhood Conservation, to DG, Downtown General.

Public Comment: Staff received no public comment on this item prior to Planning Commission. One member of the public spoke at the meeting in opposition to the request, citing concerns about increased building heights and traffic along College Avenue.

Land Use Compatibility: Staff finds the proposed rezoning to be compatible with the surrounding area. Land uses in the immediate vicinity are primarily residential in nature, though there are some non-residential uses present around Jefferson Park to the south. When compared to the property's current zoning designation, DG would allow for a greater variety of land uses and housing densities. While the only land use permitted by right in NC is single-family dwellings, DG would permit residential uses ranging from single- to multi-family dwellings, and commercial uses ranging from restaurants and offices to small-scale production. The setback regulations are similar in NC and DG zoning. Both districts require a build-to zone between the front property line and a line 25 feet from the front property line, and a five-foot rear setback. A rezoning to DG would reduce

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the side setback requirement from five feet to zero feet. When considering the density and height requirement of each zoning district, staff finds that a rezoning to DG has the potential to allow for development that is out of character with the surrounding neighborhood. Where NC permits a maximum residential density of 10 units per acre and a maximum building height of three stories, DG has no density limitation and permits a maximum building height of five stories.

Land Use Plan Analysis: Staff finds that the proposed rezoning is largely consistent with the property's Future Land Use Map designation as a Residential Neighborhood area. The DG zoning district would allow for a mixture of residential densities that are urban in form. It would also allow for a limited number of commercial uses near Jefferson Square, which was identified as a neighborhood core in the Walker Park Neighborhood Plan. A rezoning to DG could also promote a balance of land uses and housing, which is one of the guiding principles of the Walker Park Neighborhood Plan. Per the plan, ensuring a balance of uses and housing contributes to the overall sustainability of the community by reducing the number of vehicle trips needed, and smaller lot sizes exemplify a more sustainable pattern of development than conventional subdivisions. Also, the variety of housing types and commercial uses permitted in DG could enable residents to remain in the Walker Park neighborhood as their housing needs change. Further, the City Plan 2040 Infill Matrix indicates a score of nine for this site, and no environmentally sensitive areas are present, suggesting that this property is an appropriate location for infill.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a score of 9 for this site. The following elements of the matrix contribute to the score:

- 4 Minute Fire Response (Station #1, 303 W. Center St.)
- Near Sewer Main (eight-inch main, E. MLK Jr. Blvd.)
- Near Water Main (six-inch main, S. College Ave.)
- Near City Park (Walker Park, Jefferson Park)
- Near Paved Trail (E. 7th St., S. Willow Ave.)
- Near ORT Bus Stop (Route 10, Route 20)
- Near Razorback Bus Stop (Route 13)
- Within Walker Park Master Plan Area
- Sufficient Intersection Density

DISCUSSION:

At the January 23, 2023 Planning Commission meeting, Commissioners voted to deny this item by a vote of 8-0-0. Commissioner Garlock made the motion to deny and Commission Sparkman seconded it. Commissioners expressed concerns about allowing mixed-use zoning in an established single-family residential neighborhood and they felt that the property's current zoning designation was more appropriate. One member of the public spoke at the meeting who shared concerns about the proposed rezoning leading to taller buildings and increased traffic along College Avenue.

BUDGET/STAFF IMPACT:

N/A

ATTACHMENTS: Appeal Letter, SRF, Exhibit A, Exhibit B, Planning Commission Staff Report, Bill of Assurance

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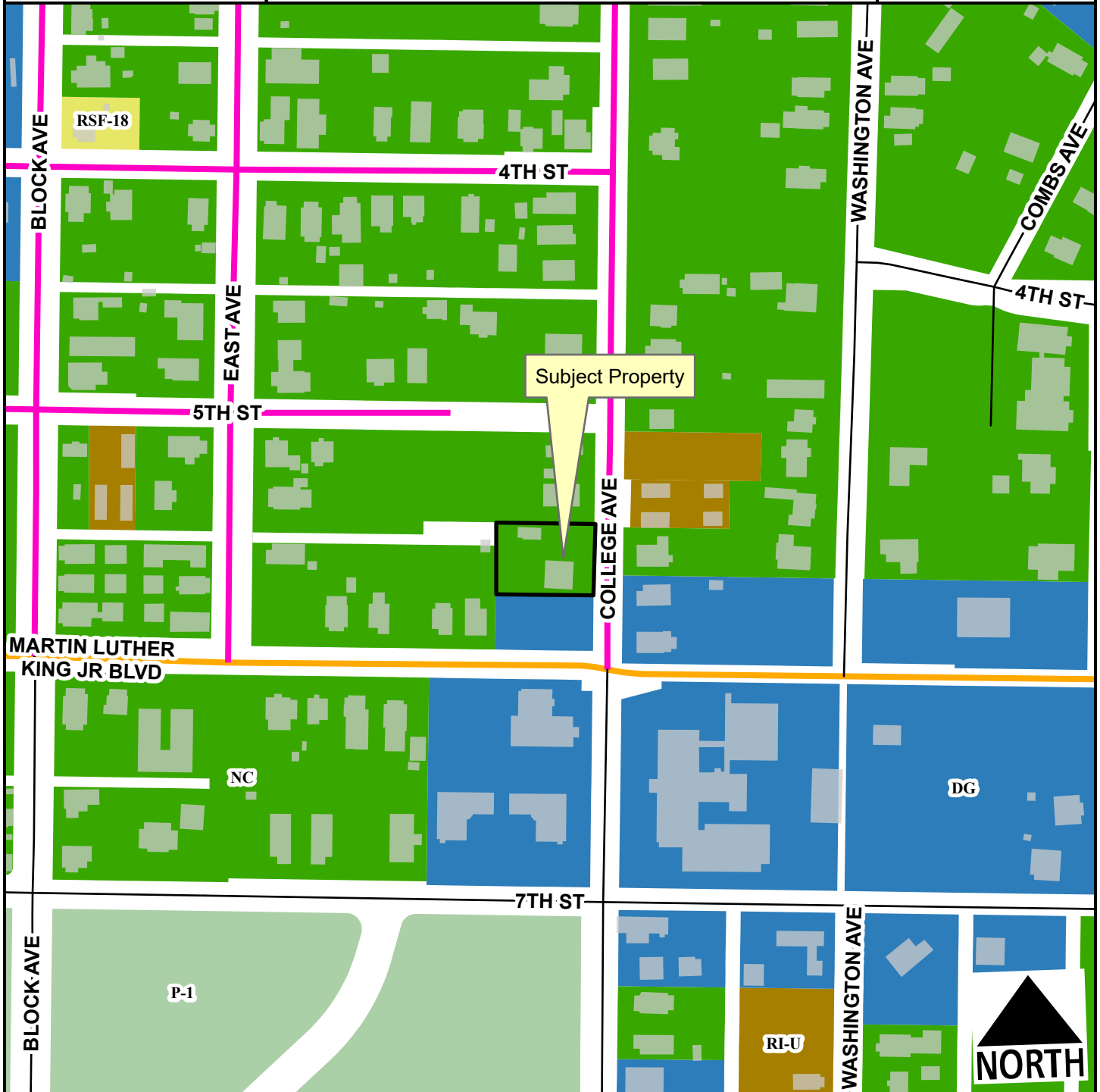
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


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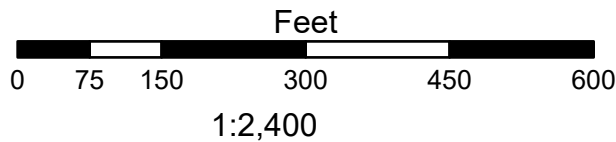
515 S. COLLEGE AVE

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EXHIBIT 'A'

Close Up View



-  Neighborhood Link
-  Urban Center
-  Unclassified
-  Residential Link
-  Design Overlay District
-  Planning Area
-  Fayetteville City Limits



<u>Zone</u>	<u>Current</u>	<u>Proposed</u>
NC	0.3 ac	0.0 ac
DG	0.0 ac	0.3 ac
Total		0.3 ac