



MEETING OF SEPTEMBER 5, 2023

TO: Mayor Jordan and City Council

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

FROM: Donna Wonsower, Planner

DATE:

SUBJECT: **RZN-2023-0019: Rezoning (1634 W. MARTIN LUTHER KING JR BLVD./GREEN MEADOW CAPITAL, 521): Submitted by GMB KB FAYETTEVILLE LLC for property located at 1634 W. MARTIN LUTHER KING JR. BLVD in WARD 1. The property is split zoned R-O, RESIDENTIAL OFFICE AND C-2, THOROUGHFARE COMMERCIAL and contains approximately 0.88 acres. The request is to rezone the property to C-2, THOROUGHFARE COMMERCIAL.**

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 southwest Fayetteville approximately ¼ mile west of the intersection of S. Razorback Rd. and W. Martin Luther King Jr. Blvd. It is currently split zoned R-O, Residential Office and C-2, Thoroughfare Commercial, and is not part of an overlay district. The project is currently developed with a Boss Man Tacos, Burrito & More Restaurant split between three parcels. The building is bisected by both the split in zoning and a parcel line. In 2008, a conditional use permit was approved permitting a Taco Bell restaurant. While C-2 allows restaurants and drive-thrus by-right, the R-O zoning district only permits restaurants conditionally.

Request: The request is to rezone the property from a split zoning of R-O, Residential Office and C-2, Thoroughfare Commercial to be entirely C-2, Thoroughfare Commercial.

Public Comment: Staff has not received any public comment on the request, and no members of the public spoke at the Planning Commission meeting.

Land Use Compatibility: Staff finds the request to be compatible with the surrounding context. The parcel is adjacent to a regional link-high activity street (W. Martin Luther King Jr. Blvd.) and is already fully developed as a commercial property. The parcel is adjacent to commercial developments to the east and west, with primarily multi-family residential properties making up the remainder of the adjacent properties. A small pocket of industrial property is directly south of W. Martin Luther King Jr. Boulevard. The current zoning, Residential Office, allows many commercial uses, such as limited business; and offices, studios, and related services by

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right, with others such as eating places; neighborhood shopping goods; clean technologies; and small-scale production allowed by conditional use permit.

Land Use Plan Analysis: Staff finds that the request is generally consistent with adopted land use policies, the Future Land Use Map designation, and goals of City Plan 2040. A moderate-high infill score indicates that the area can likely support additional intensity if it is feasible under the proposed zoning entitlements. The request meets Goal 1 of City Plan 2040 “We will make appropriate infill and revitalization our highest priorities: encouraging the development or redevelopment of vacant, mostly vacant, and underdeveloped property,” by providing the opportunity for additional commercial infill along a regional high-activity link. Conversely, rezoning the property to a single-use district, R-O permits residential and nonresidential uses whereas C-2 is purely nonresidential, is not fully consistent with long-range planning objectives related to encouragement of complete neighborhoods. On the balance of issues, particularly the existing use of the property, staff supports the request.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040’s Infill Matrix indicates 8 attributes for this site that may contribute to appropriate infill. The following elements of the matrix contribute to the score:

- 4-Minute Fire Response (Station 6)
- Near Sewer Main (6-inch W. Martin Luther King Jr. Boulevard, S. Eastern Avenue, and W. Venus Street)
- Near Water Main (12-inch W. Martin Luther King Jr. Boulevard, 6-inch S. Eastern Avenue and W. Venus Street)
- Near Public School (Ramay Jr. High / ALLPS School of Innovation)
- Near University of Arkansas Campus
- Near Paved Trail (Side Path Trail)
- Near Razorback Bus Stop (Lot 54A)
- Appropriate Future Land Use

DISCUSSION:

At the August 14, 2023 Planning Commission meeting, a vote of 7-0-0 forwarded the request to City Council with a recommendation of approval. Commissioner Winston made the motion and Commissioner Sparkman seconded. There was no discussion of the request, and no members of the public spoke at the Planning Commission meeting.

BUDGET/STAFF IMPACT:

NA

ATTACHMENTS: SRF, Exhibit A, Exhibit B, Planning Commission Staff Report

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City of Fayetteville, Arkansas

113 West Mountain Street
Fayetteville, AR 72701
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Legislation Text

File #: 2023-1016

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AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 23-019 LOCATED AT 1634 WEST MARTIN LUTHER KING JR BLVD IN WARD 1 FOR APPROXIMATELY 0.88 ACRES FROM R-O, RESIDENTIAL-OFFICE AND C-2, THOROUGHFARE COMMERCIAL, TO C-2 THOROUGHFARE COMMERCIAL

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby changes the zone classification of the property shown on the map (Exhibit A) and the legal description (Exhibit B) both attached to the Planning Department's Agenda Memo from R-O, Residential-Office and C-2, Thoroughfare Commercial to C-2 Thoroughfare Commercial, 0.88 acres.

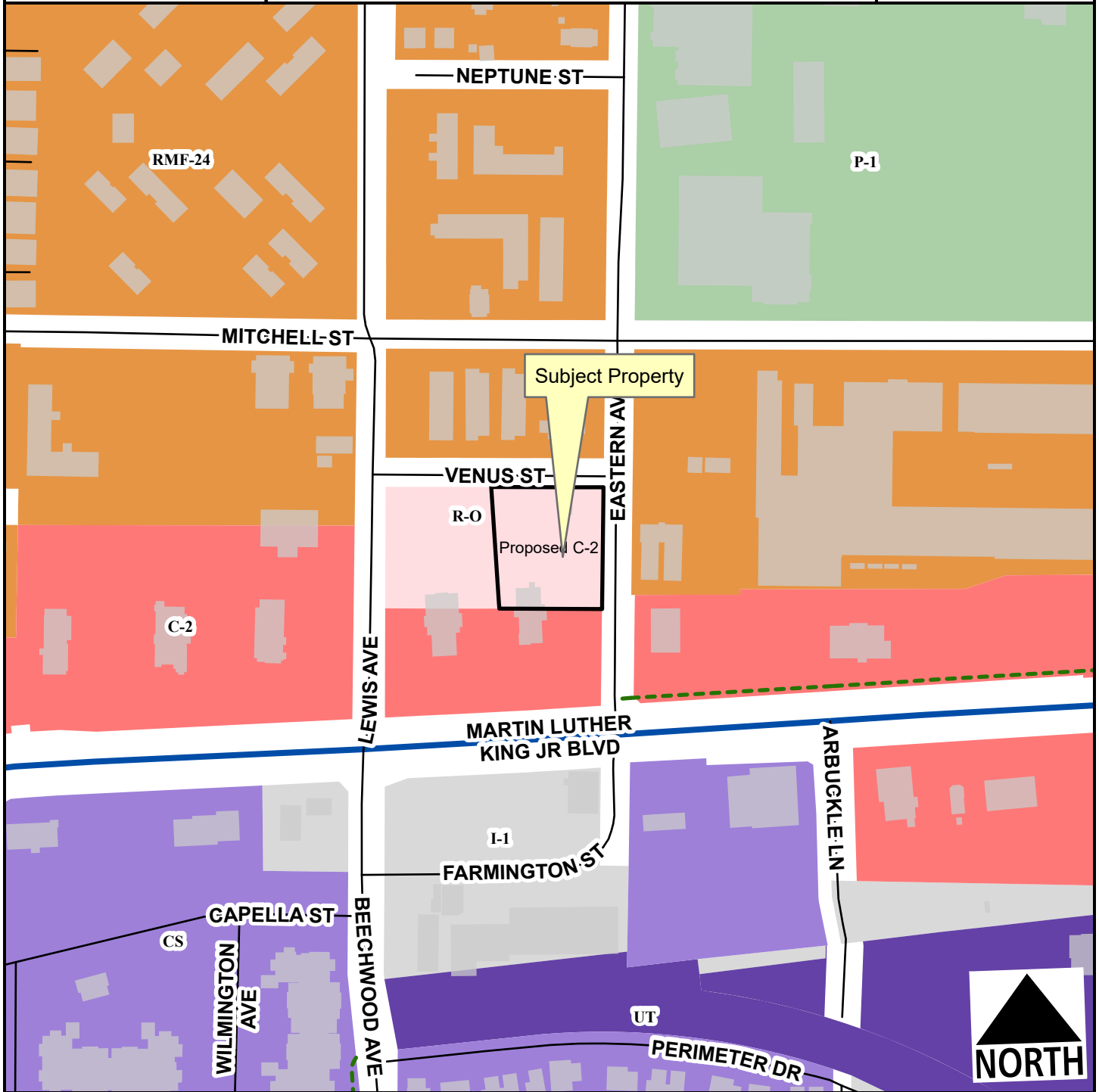
Section 2: That the City Council of the City of Fayetteville, Arkansas hereby amends the official zoning map of the City of Fayetteville to reflect the zoning change provided in Section 1.

RZN-2023-0019

1634 W. MARTIN LUTHER KING JR BLVD

RZN-2023-0019
EXHIBIT "A"






Close Up View

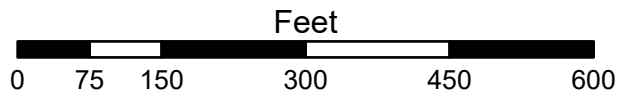


Subject Property

Proposed C-2



-  Regional Link - High Activity
-  Unclassified
-  Residential Link
-  Planning Area
-  Fayetteville City Limits



1:2,400

<u>Zone</u>	<u>Current</u>	<u>Proposed</u>
C-2	0.0	0.6
R-O	0.6	0.0

Total 0.6 ac