



MEETING OF OCTOBER 3, 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-2023-0022: Rezoning (5672 W. TACKETT DR/HOGREFE, 436): Submitted by ALAN HOGREFE for property located at 5672 W. TACKETT DR in WARD 4. The property is zoned R-A, RESIDENTIAL AGRICULTURAL and contains approximately 2.32 acres. The request is to rezone the property to RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE.**

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 west Fayetteville south of W. Wedington Dr. approximately ¼ mile southwest of the intersection with N. 54th Ave. The property contains roughly 2.32 acres and is zoned R-A, Residential Agricultural. The property is currently developed with a 2,258 square foot single-family structure constructed in 1991 and associated outbuildings. Approximately 1/3 of the northern portion of the parcel is constrained by streamside protection zones and FEMA Floodway/Floodplain.

Request: The request is to rezone the property from R-A, Residential Agricultural to RSF-4, Residential Single-Family, Four Units per Acre. The applicant has indicated in their request letter that they intend to replace an existing non-conforming shed with a new structure approximately 5 feet from the property line.

Public Comment: Staff did not receive any public comment on this request prior to the Planning Commission meeting. A petition opposing the rezoning was received after the Planning Commission meeting citing traffic and safety concerns. The petition has been added to the end of the Planning Commission packet.

Land Use Compatibility: Staff finds the request to be compatible with the surrounding context. While the applicant has stated no intent to build additional dwellings, the proposed rezoning to RSF-4 would potentially allow up to eight dwellings based on the size of the lot, but practical potential is less given the limited street frontage and the condition of Tackett along the property's frontage. Adjacent lots are generally split between R-A, Residential Agricultural with lot sizes of at least one acre and subdivisions developed under the RSF-4 or RSF-8 standards. Rezoning from R-A to RSF-4 will decrease minimum lot size from two acres with a required lot width of 200 feet to a minimum lot size of 8,000 square feet with a required lot width of 70 feet. Front and

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rear setbacks will decrease from 35 feet to 15 feet and side setbacks will decrease from 20 feet to 5 feet. Staff finds potential development under the RSF-4 zoning requirements to be consistent with the adjacent residential neighborhoods.

Land Use Plan Analysis: Staff finds that the request is consistent with adopted land use policies, the Future Land Use Map designation, and at least one goal of City Plan 2040. The property has an infill rating that ranges from three to five. A rating in this range indicates that the area may be able to support additional density under the proposed zoning entitlements. Additionally, the request contributes to meeting Goal 6 of City Plan 2040 by creating opportunities for additional housing. The proposed rezoning is approximately 0.6 miles from a Tier 3 center at the intersection of W. Wedington Dr. and N. Double Springs Rd. While the parcel is not currently within a 15-minute walk of this tier center, staff finds that potential development of the Owl Creek Trail as indicated on the Master Trail Plan could allow a pedestrian connection to existing and future services. Lastly, while the Future Land Use Map designation for the property, Residential Neighborhood Area, recognizes a wide range of housing types and densities, the location and infill factors suggest a smaller increment of increased entitlement is appropriate.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates five attributes for this site that may contribute to appropriate infill. The following elements of the matrix contribute to the score, which ranges from 3-5:

- Adequate Fire Response (Station #7, 835 N. Ruppel Rd.)
- Near Sewer Main (6-inch main, W. Tackett Dr.)
- Near Water Main (6-inch main, W. Tackett Dr.)
- Near City Park (Harmony Pointe Park)
- Near Paved Trail (W. Wedington Dr. Side Path Trail)

DISCUSSION:

At the September 11, 2023 Planning Commission meeting, a vote of 6-2-0 forwarded the request to City Council with a recommendation of approval. There was discussion regarding whether a Board of Adjustments variance would be a more appropriate avenue to allow the applicant to reconstruct their existing shed, and staff noted that a recommendation was made to attempt a rezoning first as a site-specific hardship was not readily identifiable for the property. Commissioner Brink felt that the allowable uses in RSF-4 were more compatible than those in R-A, which allows a variety of agricultural uses. Commissioner Garlock emphasized the narrowness of the adjacent city streets and cited potential traffic hazards and distance from city services as reasons for a denial vote. Commissioner Payne also voted against the proposal. Those voting in favor cited compatibility with the adjacent properties as reasoning for their approval. Additionally, one member of the public spoke in support of the request and the applicant's proposed garage addition.

BUDGET/STAFF IMPACT:

NA

ATTACHMENTS: SRF (#3), Exhibit A (#4), Exhibit B (#5), Planning Commission Staff Report (#6)

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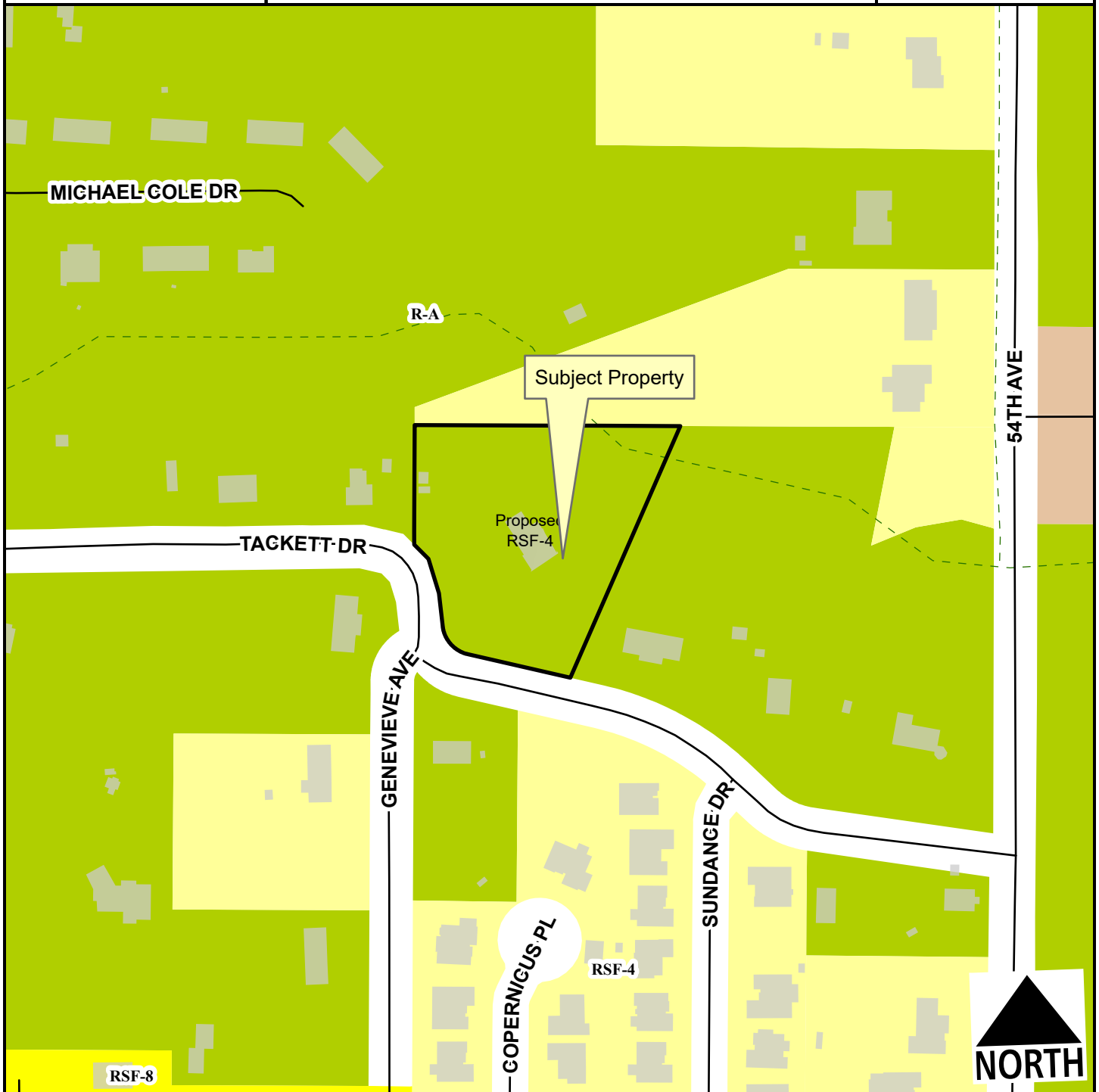
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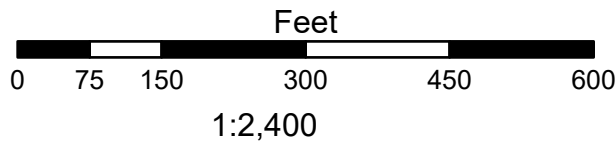
5672 W. TACKETT DR

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EXHIBIT "A"

Close Up View



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



Zone	Current	Proposed
R-A	2.32	0.0
RSF-4	0.0	2.32
Total		2.32 ac