



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: Gretchen Harrison, Senior Planner

DATE:

SUBJECT: **RZN-2023-0024: Rezoning (EAST OF N. COLLEGE AVE./MOLES, 096): Submitted by ENGINEERING SERVICES INC for property located EAST OF N. COLLEGE AVE. in WARD 3. The property is zoned C-2, THOROUGHFARE COMMERCIAL and contains approximately 6.79 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 in north Fayetteville just east of College Avenue/71B and north of Lowe's. The property contains approximately 6.79 acres and is undeveloped with mature tree canopy covering most of the site. An ordinance establishing an RPZD for an 80-unit, 13-story residential development on this property was previously passed by City Council in 2006 (Ord. 4954). However, development never occurred, the PZD expired, and the property was rezoned to C-2, Thoroughfare Commercial, in 2015. The northernmost portion of the property contains hydric soils and FEMA-designated floodplain. Additionally, slopes in excess of 15 percent are present, although no portion of the property is designated within the Hillside-Hilltop Overlay District. A portion of the Clear Creek Trail also runs along the north side of the subject property.

Request: The request is to rezone the subject property from C-2, Thoroughfare Commercial, to CS, Community Services.

Public Comment: Staff has received inquiries about this request, though no opposition or support has been offered.

Land Use Compatibility: Staff finds the requested rezoning from C-2 to CS to be compatible with surrounding land uses. The property is located along a major thoroughfare and is largely surrounded by commercial and nonresidential uses. The existing zoning district of C-2, Thoroughfare Commercial, is designed to encourage the functional grouping of commercial enterprises that cater to highway travelers while the proposed zoning district of CS, Community Services is intended to provide convenience goods and services for persons living in surrounding areas while supporting the development of adaptable mixed-use centers along commercial

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corridors. While the existing zoning district of C-2 gives developers the option to utilize urban form setbacks that allow buildings to be placed closer to the street, the zoning district does not permit residential uses and typically follows a more conventional setback requirement which results in auto-oriented development with large parking areas between streets and buildings. The proposed zoning district of CS requires developers to utilize a build-to zone with buildings placed between 10 and 25 feet from front property lines. In this instance, a rezoning from C-2 to CS would likely result in development with buildings oriented towards College Avenue. While staff typically finds CS to be a more favorable zoning designation than C-2 since it allows for a mixture of residential and nonresidential uses and it requires urban form setbacks, this site may not be well-suited for pedestrian-oriented development. The property has frontage along a major thoroughfare which is located within 300-foot-wide ARDOT right-of-way and containing an open ditch and significant elevation. Regardless, staff does not find issue with the permitted uses and building forms allowed in the proposed rezoning, particularly when compared with the highly-permissive, current C-2 zoning.

Land Use Plan Analysis: Staff finds the proposed rezoning to be generally consistent with the City's adopted land use policies and plans. The area is designated as City Neighborhood by the City Plan 2040 Future Land Use Map, which indicates an intent for moderate-density mixed-use development. The infill rating for the subject property ranges between eight and ten with nearby access to existing transit routes for both Ozark Regional Transit and Razorback Transit, and close proximity to other services and amenities such as grocery stores, parks, and trails. Staff finds that the proposed rezoning from C-2 to CS is generally aligned with the goals outlined in City Plan 2040 since it would allow for a greater mixture of commercial and residential uses along a major transit corridor and in close proximity to goods and services, potentially encouraging infill and the creation of complete, compact, and connected development.

City Plan 2040 Infill Matrix: City Plan 2040's Infill Matrix indicates a score range between 8 and 10 for this site. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station 4, 3385 N. Plainview Ave.)
- Near Sewer Main (eight-inch main, Waterside Court)
- Near Water Main (eight-inch main, Waterside Court)
- Near Grocery Store (Natural Grocers)
- Near City Park (Lake Fayetteville and Veterans Park)
- Near Paved Trail (Clear Creek Trail)
- Near Ozark Transit Stop (Routes 10, 61, and 490)
- Near Razorback Transit Stop (Route 26)
- Appropriate Future Land Use (City Neighborhood)
- Near 71-B Corridor

DISCUSSION:

At the September 11, 2023 Planning Commission meeting, a vote of 8-0-0 forwarded the request to City Council with a recommendation of approval. Commissioner Winston made the motion and Commissioner Garlock seconded it. Commissioners found the requested rezoning to be appropriate and offered little comment on the item. No public comment was offered at the meeting.

BUDGET/STAFF IMPACT:

N/A

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

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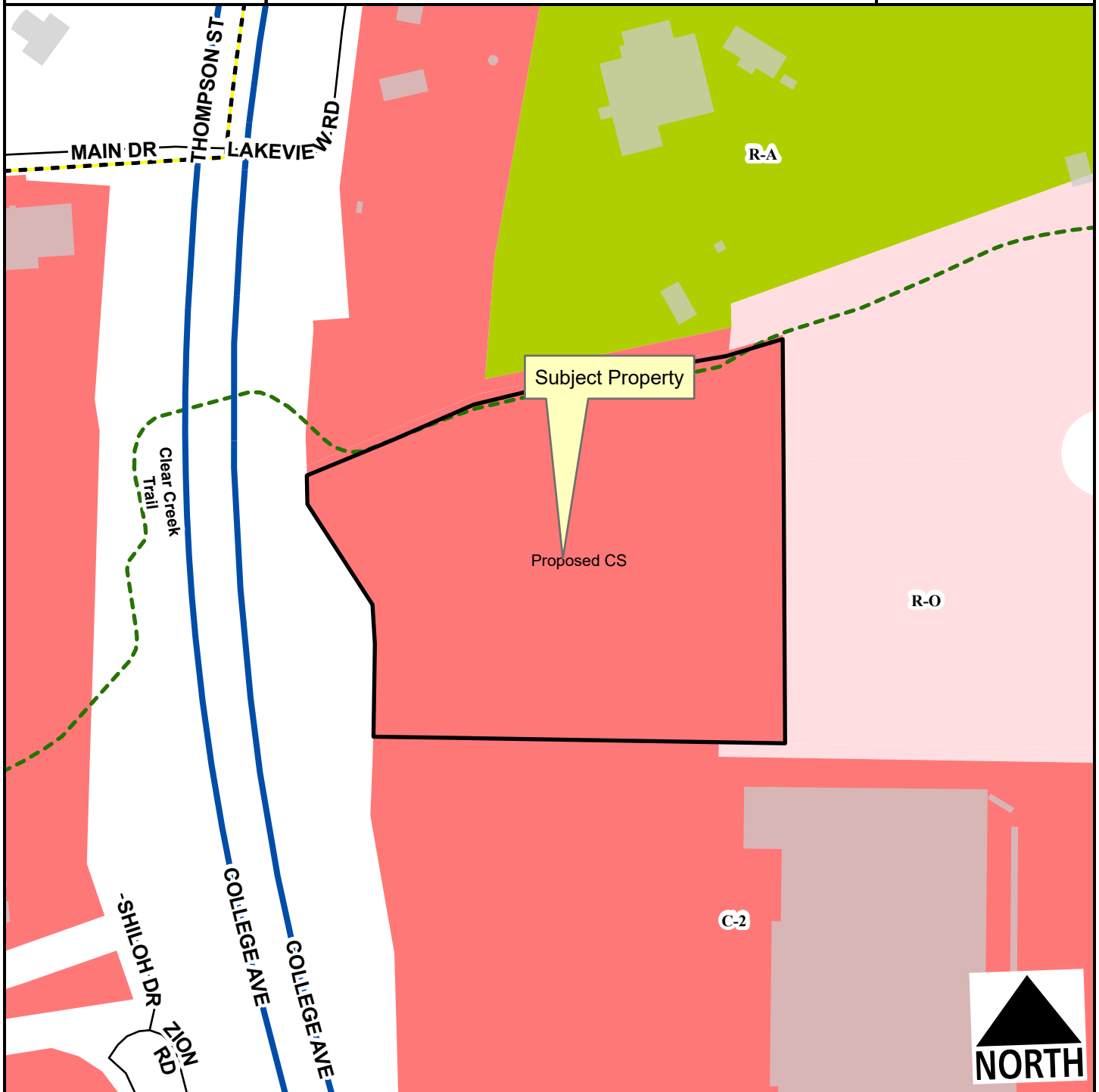
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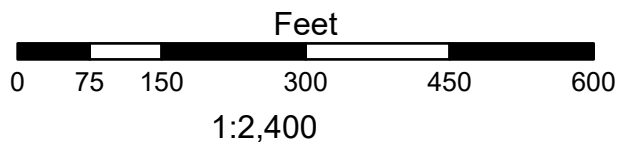
EAST OF N. COLLEGE AVE.

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EXHIBIT 'A'

Close Up View



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



<u>Zone</u>	<u>Current</u>	<u>Proposed</u>
C-2	6.8	0.0
R-O	0.0	0.0
CS	0.0	6.8

Total 6.8 ac