



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-2023-0023: Rezoning (WEST OF 4451 N. WATERSIDE CT./UNIVERSITY CLUB LAND CO LLC, 096): Submitted by ENGINEERING SERVICES INC. for property located WEST OF 4451 N. WATERSIDE CT. in WARD 3. The property is zoned R-O, RESIDENTIAL OFFICE and contains approximately 3.37 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 in north Fayetteville on the west side of Waterside Court, just north of Lowe's. The property contains approximately 3.37 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 R-O, Residential Office in 2015. The property was platted as part of the Timberlake Office Park in 2007 and labeled as an unbuildable lot reserved for detention. The majority of the property has a slope in excess of 15 percent though it is not located within the City's Hillside/Hilltop Overlay District.

Request: The request is to rezone the subject property from R-O, Residential Office, 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 R-O to CS to be compatible with surrounding land uses. The property is located at the end of a platted commercial subdivision and is largely surrounded by commercial and nonresidential uses. The existing zoning district of R-O, Residential Office, allows for a mixture of commercial and residential uses though it is primarily designed to provide area for offices without limitation to their nature or size. The proposed zoning district of CS, Community Services would allow for a wider range of commercial and residential uses that are primarily designed to provide convenience goods and personal

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services for persons living in surrounding residential areas while supporting the development of adaptable mixed use centers along commercial corridors. The existing zoning district of R-O gives developers the option to utilize conventional or urban form setbacks while the proposed zoning district of CS requires urban form setbacks. Staff finds that urban form setbacks may not be desirable on the subject property since it has limited street frontage and is located on the turning circle of a cul-de-sac, making it a challenging location for street-oriented development. With regard to residential density, R-O currently allows a maximum of 24 units per acre while a rezoning to CS would allow for unlimited density. With regard to bulk and area regulations, the proposed rezoning would also reduce lot width and area minimums. When considering that R-O is intended to allow for commercial development without limitation to size and both R-O and CS limit building heights to five stories, staff does not find issue with the more permissive density and lot size regulations associated with the proposed CS zoning district.

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 score for the subject property is high 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 R-O 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 Sparkman made the motion and Commissioner Holcomb 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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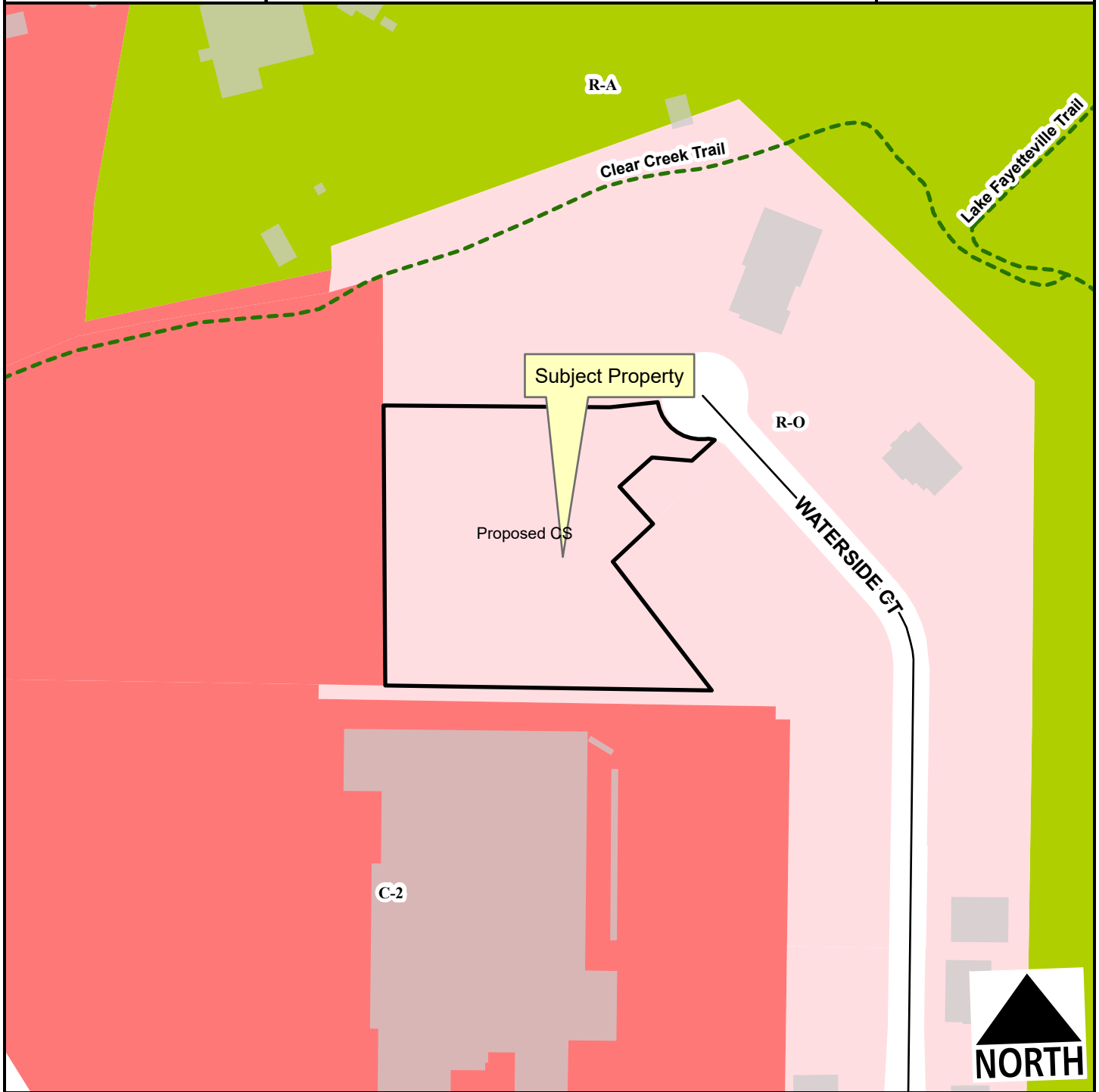
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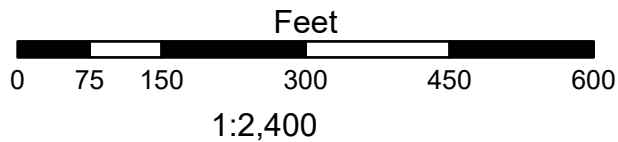
WEST OF 4451 N. WATERSIDE CT

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EXHIBIT 'A'

Close Up View



-  Residential Link
-  Planning Area
-  Fayetteville City Limits



<u>Zone</u>	<u>Current</u>	<u>Proposed</u>
R-O	3.3	0.0
CS	0.0	3.3

Total 3.3 ac