



City of Fayetteville, Arkansas

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Legislation Text

File #: 2023-1296

RZN-2023-0029: Rezoning (533 W. CENTER ST./BRICENO, 523): Submitted by NESTOR BRICENO for property located at 533 W. CENTER ST in WARD 2. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 0.09 acres. The request is to rezone the property to MSC, MAIN STREET CENTER.

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2023-0029 FOR APPROXIMATELY 0.09 ACRES LOCATED AT 533 WEST CENTER STREET IN WARD 2 FROM NC, NEIGHBORHOOD CONSERVATION TO MSC, MAIN STREET CENTER

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 NC, Neighborhood Conservation to MSC, Main Street Center.

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.



MEETING OF DECEMBER 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-2023-0029: Rezoning (533 W. CENTER ST./BRICENO, 523): Submitted by NESTOR BRICENO for property located at 533 W. CENTER ST in WARD 2. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 0.09 acres. The request is to rezone the property to MSC, MAIN STREET CENTER.**

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 a tandem lot with no street frontage located in central Fayetteville within the Cultural Arts Corridor directly east of The Ramble. A steep trail crossing is located directly south of the parcel to the Greenway. The parcel is developed with a 966 square foot single family structure and a 200 accessory dwelling unit, both of which are currently active short-term rentals (ADUs are always permitted as a type 1). The parcel is zoned NC, Neighborhood Conservation, which it received as a result of the downtown master plan city-initiated rezoning in 2006.

Request: The request is to rezone the subject property from NC, Neighborhood Conservation to MSC, Main Street Center.

Public Comment: Staff received one comment expressing general support for the rezoning.

Land Use Compatibility: Staff finds the proposed rezoning from NC to MSC to be compatible with the surrounding area. The intent of the MSC zoning district is to provide "a greater range of uses" while being more "more spatially compact and... more likely to have some attached buildings than Downtown General or Neighborhood Conservation." The parcel is currently a tandem lot, and the applicant has indicated an intent to combine this lot with an adjacent parcel also under their ownership to the north. Staff agrees that the rezoning of this parcel would help facilitate a lot combination and development with the abutting parcel, and finds the requested rezoning to be compatible as the parcel is currently surrounded by MSC on three sides; rezoning the parcel from NC to MSC will create a consistent zoning district within the block. Further, staff finds that the requested rezoning is not likely to result in development that is incompatible with the surrounding area. Four

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lots abutting the property to the east were recently redeveloped in a townhome style, and the parcel is within a traditional neighborhood block with homes close to the street. By-right development in the MSC zoning district includes a wide range of residential, office, and commercial uses. All lots are required to maintain a minimum width of 18 feet with no lot area requirements. The NC district requires lot widths of 40 feet with lot areas of 4,000 square feet.

Land Use Plan Analysis: Despite the subject property receiving its current NC designation as a part of the 2006 Downtown Master Plan, staff finds the proposed MSC rezoning to be consistent with the City's adopted land use plans, including its Future Land Use Map designation as City Neighborhood area. The requested rezoning aligns with many goals of City Plan 2040, but most prominently the encouragement of appropriate infill. The subject property has an exceptionally high number of infill attributes, totaling 13 and including access to numerous services, proximity to a variety of amenities, and access to adequate infrastructure. Similarly, and given the existing MSC zoning designation on three of the four sides of the subject property, staff finds the requested rezoning to be complimentary of the goals to create an active transportation network and compact, complete, and connected development within walking distance of Fayetteville's downtown and the Cultural Arts Corridor.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates 13 attributes for this site that may contribute to appropriate infill. The following elements of the matrix contribute to the score of 13 for this site.

- Adequate Fire Response
- Near Sewer Main (8-inch, W. Center St.)
- Near Water Main (4-inch, W. Center St.)
- Near Grocery Store (Walmart Neighborhood Market)
- Near Public School (Fayetteville High School)
- Near U of A Campus
- Near City Park (The Ramble)
- Near Paved Trail (Razorback Greenway)
- Near ORT Bus Stop (Hillcrest Towers, Fayetteville Library)
- Near Razorback Bus Stop (Fayetteville Library)
- Sufficient intersection density
- Appropriate Future Land Use (City Neighborhood)
- Within Master Plan Area (Downtown Design Overlay District)

DISCUSSION:

At the November 13, 2023 Planning Commission meeting, a vote of 9-0-0 forwarded the request to City Council with a recommendation of approval. Commissioner Winston made the motion and Commissioner Brink seconded. The commissioners cited the high infill score and staff findings in the report as reasons for approval. There was no public comment at the meeting, and no commissioners spoke against the proposed rezoning.

BUDGET/STAFF IMPACT:

NA

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

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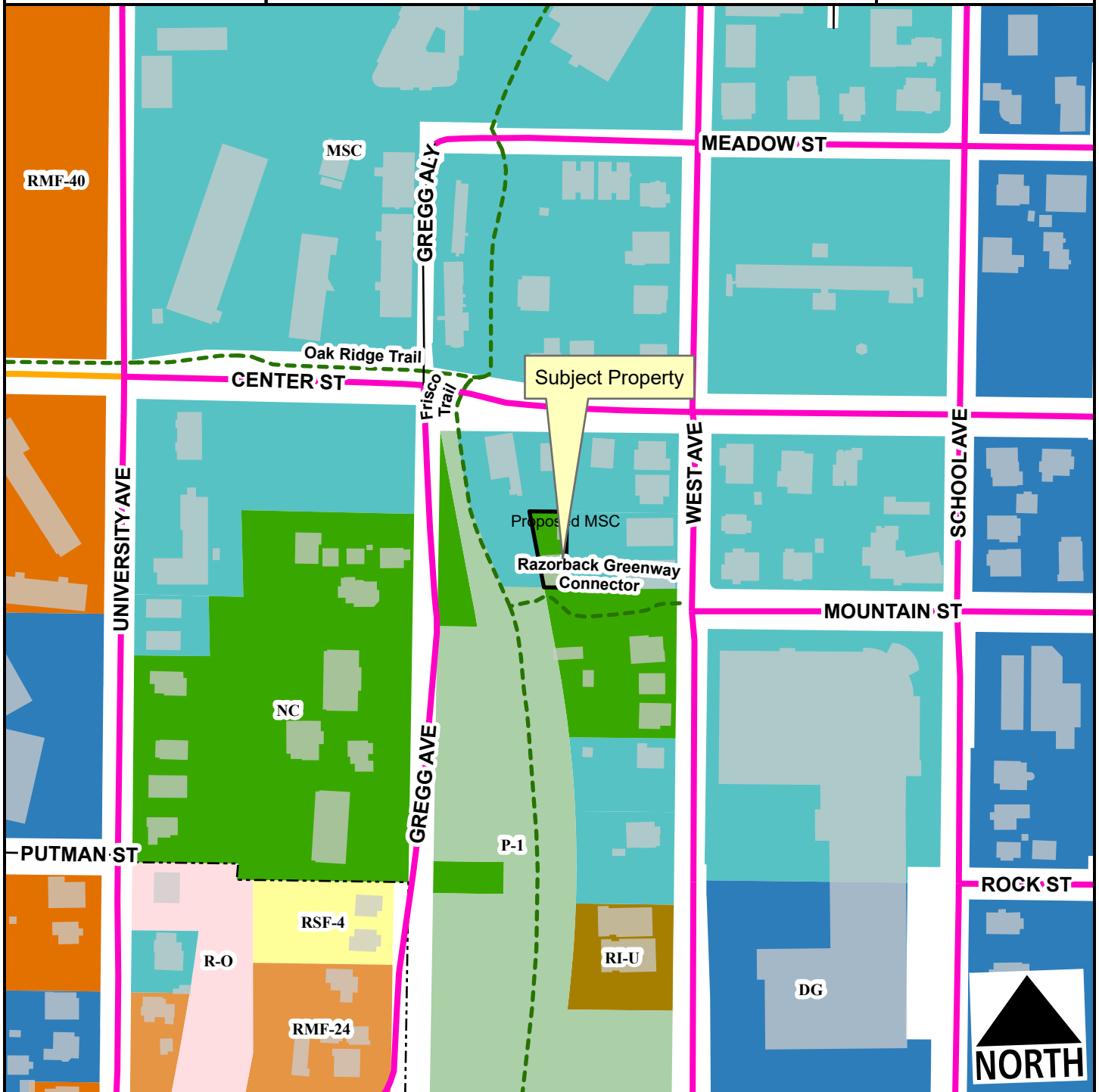
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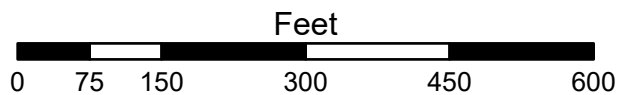
533 W. CENTER ST

EXHIBIT "A"

Close Up View



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



1:2,400

Zone	Current	Proposed
MSC	0.0	0.1
NC	0.1	0.0
Total		0.1 ac