



# City of Fayetteville, Arkansas

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

## Legislation Text

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**File #:** 2024-1783

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**RZN-2024-0001: Rezoning (3006 N. OLD MISSOURI RD./OLD MISSOURI LAND DEVELOPMENT LLC, 253 & 254): Submitted by JORGENSEN & ASSOCIATES for property located at 3006 N. OLD MISSOURI RD. in WARD 3. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE, NS-G, NEIGHBORHOOD SERVICES GENERAL, and NC, NEIGHBORHOOD CONSERVATION and contains approximately 6.31 acres. The request is to rezone the property to RSF-18, RESIDENTIAL SINGLE-FAMILY, EIGHTEEN UNITS PER ACRE and R-A, RESIDENTIAL – AGRICULTURAL.**

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2024-0001 FOR APPROXIMATELY 6.31 ACRES LOCATED AT 3006 NORTH OLD MISSOURI ROAD IN WARD 3 FROM RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE; NS-G, NEIGHBORHOOD SERVICES GENERAL; AND NC, NEIGHBORHOOD CONSERVATION TO RSF-18, RESIDENTIAL SINGLE-FAMILY, EIGHTEEN UNITS PER ACRE AND R-A, RESIDENTIAL AGRICULTURAL

**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 RSF-4, Residential Single-Family, Four Units Per Acre; NS-G, Neighborhood Services General; and NC, Neighborhood Conservation to RSF-18, Residential Single-Family, Eighteen Units Per Acre and R-A, Residential Agricultural.

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 MARCH 19, 2024**

**TO:** Mayor Jordan and City Council

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

**FROM:** Kylee Cole, Planner

**SUBJECT:** **RZN-2024-0001: Rezoning (3006 N. OLD MISSOURI RD./OLD MISSOURI LAND DEVELOPMENT LLC, 253 & 254): Submitted by JORGENSEN & ASSOCIATES for property located at 3006 N. OLD MISSOURI RD. in WARD 3. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE, NS-G, NEIGHBORHOOD SERVICES GENERAL, and NC, NEIGHBORHOOD CONSERVATION and contains approximately 6.31 acres. The request is to rezone the property to RSF-18, RESIDENTIAL SINGLE-FAMILY, EIGHTEEN UNITS PER ACRE and R-A, RESIDENTIAL – AGRICULTURAL.**

**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, roughly ¼ mile north of the intersection of N. Old Wire Road and N. Old Missouri Road. Although not within the Hillside-Hilltop Overlay District, the site is heavily vegetated with a significant upward slope from the northwest to the southeast. The property subject to this request is approximately 6.31 acres of a 36.20-acre site. It is zoned RSF-4, Residential Single-Family, Four Units per Acre, NC, Neighborhood Conservation, and NS-G, Neighborhood Services-General. At the Planning Commission meeting on April 11, 2022, a conditional use permit (CUP-2022-0004) was approved to allow multi-family on the portion of the property zoned NS-G, Neighborhood Services-General. The project received large scale development approval at the May 9, 2022 Planning Commission meeting (LSD-2022-0012). A concurrent plat for thirty-six residential lots, one commercial lot, two non-buildable lots, and two out lots was approved at the January 8, 2024 Planning Commission meeting.

*Request:* The request is to rezone 6.31 acres of the property to a split zoning of R-A, Residential-Agricultural (1.77 acres) and RSF-18, Residential Single-Family, Eighteen Units per Acre (4.54 acres). This request is associated with a proposal for Phase II of the State Station development.

*Public Comment:* To date, staff have received no public comment on this item.

*Land Use Compatibility:* The proposed R-A zoning is compatible as the areas are dedicated or planned tree preservation easements. The proposed zoning change to RSF-18 is compatible with surrounding land use patterns in this area, which includes a mixture of residential and non-residential development of generally low-

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to-moderate intensity. Despite the greater density allowed under the proposed zoning district, staff finds that the single-family character of RSF-18 will complement the overwhelmingly detached dwelling development pattern of the area. Further bolstering staff's support of the request is the existing NS-G, Neighborhood Services, General, property to the west and the extension of Rolling Hills through the site. Although currently undeveloped, the property zoned NS-G allows low-intensity, non-residential uses along with some attached residential building types. When developed, a logical transition would result from greater densities along Old Missouri Road in the west to the lower-density single-family to the south and east.

Another consideration is the terrain of the area proposed for rezoning as it relates to surrounding land uses. As noted, the subject property slopes upward significantly from northwest to southeast. This gradient creates a natural transition of elevation just as the zoning transitions from the greater density of the existing NS-G and NC districts and proposed RSF-18 zoning district to the lower densities of the adjacent RSF-4 zoning districts.

*Land Use Plan Analysis:* The proposed zoning is compatible with the Future Land Use Map (FLUM) and consistent with the largely Residential Neighborhood Area designation of the subject property and surrounding area. Along with the recently rezoned NS-G and NC land to the west and north, development under the RSF-18 zoning on the subject property will encourage traditional neighborhood development in a compact form that is both complemented by mixed-use development to the west and complimentary of existing, low-density single-family developments to the east.

Among the goals in City Plan 2040, the proposed rezoning represents the potential for appropriate infill development, development in a traditional town form pattern, and a means of discouraging suburban sprawl. Although extensions of infrastructure are likely needed to facilitate development, adjacent City facilities and amenities are already in place and available for access, thereby reducing the strain on City infrastructure and amenities that would result from similar development in a sprawl location. Similarly, the requested RSF-18 zoning district and its associated build-to zone encourage patterns of development that result in realizing the City's goal of making traditional town form the standard. This includes the expectation that buildings be located at the street and on corners, thereby creating an environment appealing to pedestrians. Additionally, the property's location is approximately 1/4 mile north of the Tier 3 center identified within City Plan 2040's growth concept map at the intersection of N. Old Wire and Old Missouri Roads.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates an infill score of **4-5** for this site. The following elements of the matrix contribute to the score, at varying points:

- 4 Minute Fire Response (Station 4 at 3385 N. Plainview Ave.)
- Near Paved Trail (Old Missouri Trail)
- Near Public School (Butterfield Trail Elementary School)
- Near City Park (Gulley Park)
- Appropriate Future Land Use (City Neighborhood)

#### **DISCUSSION:**

At the February 26, 2024 Planning Commission meeting, a vote of 5-2-0 forwarded the request to City Council with a recommendation of approval. The commissioners cited future land use compatibility and staff recommendations as noted in the report as reasons for approval. There was no public comment at the meeting. Commissioners Madden and Garlock were not favorable to the rezone, citing the lack of a master plan provided by the developer and steep slopes.

#### **BUDGET/STAFF IMPACT:**

N/A

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



**TO:** Fayetteville Planning Commission

**THRU:** Jessie Masters, Development Review Manager

**FROM:** Kylee Cole, Planner

**MEETING DATE:** February 26, 2024

**SUBJECT:** **RZN-2024-0001: Rezoning (3006 N. OLD MISSOURI RD./OLD MISSOURI LAND DEVELOPMENT LLC, 253 & 254):** Submitted by JORGENSEN & ASSOCIATES for property located at 3006 N. OLD MISSOURI RD. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE, NS-G, NEIGHBORHOOD SERVICES GENERAL, and NC, NEIGHBORHOOD CONSERVATION and contains approximately 6.31 acres. The request is to rezone the property to RSF-18, RESIDENTIAL SINGLE-FAMILY, EIGHTEEN UNITS PER ACRE and R-A, RESIDENTIAL - AGRICULTURAL

**RECOMMENDATION:**  
Staff recommend forwarding **RZN-2024-0001** to City Council with a recommendation of approval.

**RECOMMENDED MOTION:**  
*"I move to forward **RZN-2024-0001** to City Council with a recommendation of approval."*

**BACKGROUND:**  
The subject property is in north Fayetteville, roughly ¼ mile north of the intersection of N. Old Wire Road and N. Old Missouri Road (a Tier 3 Center). The property subject to this request is approximately 6.31 acres of a 36.20-acre site. It is zoned RSF-4, Residential Single-Family, Four Units per Acre, NC, Neighborhood Conservation, and NS-G, Neighborhood Services-General. Areas 3, 4, and 5 received its current zoning in 2003 with the new city-wide zoning map (Ord. 4503, July 2003). Area 6 received its current in July 2017 when it was rezoned from RSF-4 to NS-G (Ord. 5087, July 2017). Areas 1 and 2 received their current zoning in 2018 when it was rezoned from RSF-4 to NC (Ord. 6062, May 2018). At the Planning Commission meeting on April 11, 2022, a conditional use permit (CUP-2022-0004) was approved to allow multi-family on the portion of the property zoned NS-G, Neighborhood Services-General. The project received large scale development approval at the May 9, 2022 Planning Commission meeting (LSD-2022-0012). A concurrent plat for thirty-six residential lots, one commercial lot, two non-buildable lots, and two out lots was approved at the January 8, 2024 Planning Commission meeting. Surrounding land uses and zoning are listed in *Table 1*.

**Table 1:  
Surrounding Land Uses and Zoning**

<b>Direction</b>	<b>Land Use</b>	<b>Zoning</b>
North	Undeveloped	NC, Neighborhood Conservation
South	Undeveloped	RSF-4, Residential Single-Family, Four Units per Acre; NS-G, Neighborhood Services - General
East	Undeveloped	NC, Neighborhood Conservation; RSF-4, Residential Single-Family

West	Multi-Family Residential; Church	NS-G, Neighborhood Services General; R-O, Residential Office
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*Request:* The request is to rezone 6.31 acres of the property to R-A, Residential-Agricultural (1.77 acres) and RSF-18, Residential Single-Family, Eighteen Units per Acre (4.54). This request is associated with a proposal for Phase II of the State Station development.

*Public Comment:* To date, staff has received no public comment on this item.

**INFRASTRUCTURE:**

**Streets:** The subject area has no road frontage. Any street improvements will be determined at the time of development proposal.

**Water:** Public water is not yet available to the subject area. Main extensions would be required and would be evaluated at the time of development review.

**Sewer:** Sanitary sewer is not yet available to the subject area. Main extensions would be required and would be evaluated at the time of development review.

**Drainage:** No portion of the property lies within the Hillside-Hilltop Overlay District, or within a FEMA floodplain. Hydric soils are not present on site. The property lies outside the Hilltop-Hillside Overlay District (HHOD), but portions of the site include areas of 15% slope or greater, which may indicate further development restrictions. Any additional improvements, assessments, or requirements for drainage, slope, or other related issues will be determined at time of development.

**Fire:** Fire apparatus access and fire protection water supplies will be reviewed for compliance with the Arkansas Fire Prevention Code at the time of development. There is an existing fire hydrant east of the subject area. Station 4, located at 3385 N. Plainview Ave., protects this site. The property is located approximately 1.4 miles from the fire station with an anticipated drive time of approximately 4 minutes using existing streets. The anticipated response time would be approximately 6.2 minutes. Fire Department response time is calculated based on the drive time plus 1 minute for dispatch and 1.2 minutes for turn-out time. Within the City Limits, the Fayetteville Fire Department has a response time goal of 6 minutes for an engine and 8 minutes for a ladder truck.

**Police:** The Police Department did not comment on this request.

**Tree Preservation:**

Current Zoning	Acreage	Min. Canopy	Proposed Zoning	Min. Canopy	Change
NS-G	0.30	20%	R-A	25%	+5%
NC	0.10	20%	R-A	25%	+5%
RSF-4	1.37	25%	R-A	25%	0%
RSF-4	3.18	25%	RSF-18	20%	-5%
NC	1.36	20%	RSF-18	20%	0%

**CITY PLAN 2040 FUTURE LAND USE PLAN:** City Plan 2040 Future Land Use Plan designates the property within the proposed rezone as **Residential Neighborhood**.

**Residential Neighborhood Areas** are primarily residential in nature and support a wide variety of housing types of appropriate scale and context: single-family, duplexes, rowhouses, multifamily and accessory dwelling units. Residential Neighborhood encourages highly connected, compact blocks with gridded street patterns and reduced building setbacks. It also encourages traditional neighborhood development that incorporates low-intensity nonresidential uses intended to serve the surrounding neighborhoods, such as retail and offices, on corners and along connecting corridors. This designation recognizes existing conventional subdivision developments which may have large blocks with conventional setbacks and development patterns that respond to features of the natural environment. Building setbacks may vary depending on the context of the existing neighborhood.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates an infill score of 4 for this site, with a weighted score of 8. The following elements of the matrix contribute to the score, at varying points:

- 4 Minute Fire Response (Station 4)
- Near Paved Trail (Old Missouri Trail)
- Near Public School (Butterfield Trail Elementary School)
- Near City Park (Gulley Park)

## FINDINGS OF THE STAFF

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

**Finding:** ***Land Use Compatibility:*** The proposed R-A zoning in areas 2, 3, 5, and 6 are compatible as the areas are dedicated or planned tree preservation easements. The proposed zoning change in areas 1 and 4 to RSF-18 is compatible with surrounding land use patterns in this area, which includes a mixture of residential and non-residential development of generally low-to-moderate intensity. Despite the greater density allowed under the proposed zoning district, staff finds that the single-family character of RSF-18 will complement the overwhelmingly detached dwelling development pattern of the area. Further bolstering staff's support of the request is the existing NS-G, Neighborhood Services, General, property to the west and the extension of Rolling Hills through the site. Although currently undeveloped, the property zoned NS-G allows low-intensity, non-residential uses along with some attached residential building types. When developed, a logical transition would result from greater densities along Old Missouri Road in the west to the lower-density single-family to the south and east.

Another consideration is the terrain of the area proposed for rezoning as it relates to surrounding land uses. As noted, the subject property slopes upward significantly from northwest to southeast. This gradient creates a natural transition of elevation just as the zoning transitions from the greater density of the existing NS-G and NC districts and proposed RSF-18 zoning district to the lower densities of the adjacent RSF-4 zoning districts.

***Land Use Plan Analysis:*** The proposed zoning is compatible with the Future Land Use Map (FLUM) and consistent with the Residential Neighborhood Area designation of the subject property and surrounding area. Along with

the recently rezoned NS-G and NC land to the west and north, development under the RSF-18 zoning on the subject property will encourage traditional neighborhood development in a compact form that is both complemented by mixed-use development to the west and complimentary of existing, low-density single-family developments to the east.

Among the goals in City Plan 2040, the proposed rezoning represents the potential for appropriate infill development, development in a traditional town form pattern, and a means of discouraging suburban sprawl. Although extensions of infrastructure are likely needed to facilitate development, adjacent City facilities and amenities are already in place and available for access, thereby reducing the strain on City infrastructure and amenities that would result from similar development in a sprawl location. Similarly, the requested RSF-18 zoning district and its associated build-to zone encourage patterns of development that result in realizing the City's goal of making traditional town form the standard. This includes the expectation that buildings be located at the street and on corners, thereby creating an environment appealing to pedestrians.

2. A determination of whether the proposed zoning is justified and/or needed at the time the rezoning is proposed.

**Finding:** The applicant has requested the zoning change to allow for development at a greater density than that allowed under the existing RSF-4 and NC zoning districts. The proposed RSF-18 zoning will encourage appropriate density and a transition from higher density development along N. Old Missouri Rd. to lower density development to the east.

3. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

**Finding:** The RSF-18 zoning district allows a residential density that is greater than that allowed under the current NC and RSF-4 zoning district: 10 units per acre versus 10 and 4, respectively. Given the property's undeveloped state, any development would invariably create the potential for increased traffic in the area. That said, and as previously noted, the property is located with access to Old Missouri Road, and near Rolling Hills Drive and Old Wire Road, all Neighborhood Link streets. With Phase I, E. Rolling Hills Dr. was extended, and a traffic signal was added improving traffic safety at the intersection. While there will be an appreciable increase in traffic with any development, direct access to Old Missouri Road will likely limit the intrusion of through traffic into adjacent neighborhoods.

4. A determination as to whether the proposed zoning would alter the population density and thereby undesirably increase the load on public services including schools, water, and sewer facilities.

**Finding:** Due to the property being currently undeveloped, development under the current zoning or the proposed zoning will result in an increase in the load on public services. That said, this increase has the potential to be greater under RSF-18 than the existing NC and RSF-4 zoning. RSF-18 allows for 18



units per acre, while NC allows 10 units per acre and RSF-4 allows 4 units per acre. Despite the potential for greater density, the subject property has access to connect to planned infrastructure in Phase I of Stage Station. With Phase I, E. Rolling Hills Dr. was extended and a traffic signal was added, improving traffic safety at the intersection. Additionally, neither the Police nor Fire Departments have expressed objections to the proposal.

5. If there are reasons why the proposed zoning should not be approved in view of considerations under b (1) through (4) above, a determination as to whether the proposed zoning is justified and/or necessitated by peculiar circumstances such as:
  - a. It would be impractical to use the land for any of the uses permitted under its existing zoning classifications;
  - b. There are extenuating circumstances which justify the rezoning even though there are reasons under b (1) through (4) above why the proposed zoning is not desirable.

**Finding:** N/A

**RECOMMENDATION:** Planning staff recommends forwarding RZN-2024-0001 to the City Council with a recommendation of approval.

<b>PLANNING COMMISSION ACTION:</b> Required <u>YES</u>			
Date: <u>February 26, 2024</u>	<input type="checkbox"/> Tabled	<input type="checkbox"/> Forwarded	<input type="checkbox"/> Denied
Motion:			
Second:			
Vote:			

**BUDGET/STAFF IMPACT:**

None

**ATTACHMENTS:**

- Unified Development Code:
  - §161.03, R-A, Residential-Agricultural
  - §161.07, RSF-4, Residential Single-Family, 4 Units per Acre
  - §161.10, RSF-18, Residential Single-Family, 18 Units per Acre
  - §161.19, NS-G, Neighborhood Services - General
  - §161.29, NC, Neighborhood Conservation
- Rezoning History Exhibit
- Request Letter
- Applicant Exhibit
- Close Up Map
- One Mile Map
- Current Land Use Map
- Future Land Use Map

**161.03 District R-A, Residential-Agricultural**

(A) *Purposes.* The regulations of the agricultural district are designed to protect agricultural land until an orderly transition to urban development has been accomplished; prevent wasteful scattering of development in rural areas; obtain economy of public funds in the providing of public improvements and services of orderly growth; conserve the tax base; provide opportunity for affordable housing, increase scenic attractiveness; and conserve open space.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 3	Public protection and utility facilities
Unit 6	Agriculture
Unit 7	Animal husbandry
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 37	Manufactured homes
Unit 41	Accessory dwellings
Unit 43	Animal boarding and training
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 20	Commercial recreation, large sites
Unit 24	Home occupations
Unit 35	Outdoor Music Establishments
Unit 36	Wireless communications facilities
Unit 42	Clean technologies

(C) *Density.*

Units per acre	One-half (½)
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(D) *Bulk and Area Regulations.*

Lot width minimum	200 feet
Lot Area Minimum:	
Residential:	2 acres
Nonresidential:	2 acres
Lot area per dwelling unit	2 acres

(E) *Setback Requirements.*

Front	Side	Rear
35 feet	20 feet	35 feet

(F) *Height Requirements.* There shall be no maximum height limits in the R-A District, provided, however, if a building exceeds the height of one (1) story, the portion of the building over one (1) story shall have an additional setback from any boundary line of an adjacent residential district. The amount of additional setback for the portion of the building over one (1) story shall be equal to the difference between the total height of that portion of the building and one (1) story.

(G) *Building area.* None.

**161.07 - District RSF-4, Residential Single-Family - Four (4) Units Per Acre**

(A) *Purpose.* The RSF-4 Residential District is designed to permit and encourage the development of low density detached dwellings in suitable environments, as well as to protect existing development of these types.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 9	Two-family dwellings
Unit 12a	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities
Unit 44	Cluster Housing Development

(C) *Density.*

	Single-family dwellings	Two (2) family dwellings
Units per acre	4 or less	7 or less

(D) *Bulk and Area Regulations.*

	Single-family dwellings	Two (2) family dwellings
Lot minimum width	70 feet	80 feet
Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet
Hillside Overlay District Lot minimum width	60 feet	70 feet
Hillside Overlay District Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet

(E) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	15 feet

(F) *Building Height Regulations.*

Building Height Maximum	45 feet
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*Height Regulations.* Structures in this District are limited to a building height of 45 feet. Existing structures that exceed 45 feet in height shall be grandfathered in, and not considered nonconforming uses.

(G) *Building Area.* On any lot the area occupied by all buildings shall not exceed 40% of the total area of such lot.

**161.10 District RSF-18, Residential Single-Family - Eighteen (18) Units Per Acre**

(A) *Purpose.* The RSF-18 Single-family Residential District is designed to promote and encourage the efficient development of single-family detached residences in a variety of densities.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 9	Two-family dwellings
Unit 12a	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities
Unit 44	Cluster Housing Development

(C) *Density.*

Units per acre	Eighteen (18) or less
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(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Single-family	30 feet
Two (2) family	30 feet

(2) *Lot Area Minimum.*

Townhouses: individual lot	1,250 square feet
Single-family	2,500 square feet
Two-family	2,000 square feet

(E) *Setback Requirements.*

Front	Side	Side-Zero Lot Line*	Rear
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A build-to zone that is located between the front property line and a line 25 ft. from the front property line.	5 feet on both sides	A setback of less than five feet (zero lot line) is permitted on one interior side, provided a maintenance agreement is filed**. The remaining side setback(s) shall be 10 feet.	5 feet
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\* A zero lot line is an alternative to the 5 foot building setback. Applicants should consult the International Building Code when locating a structure in close proximity to property lines and/or adjacent structures.

\*\* At least 5 feet of maintenance area shall be provided along a structure that is within 5 feet of a property line. This may be provided through a perpetual maintenance easement on the adjacent property, or through a combination of a maintenance easement and private property. Walls, fences and customary yard accessories are permitted in the maintenance area.

(F) *Building Height Regulations.*

Building Height Maximum	3 stories
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(G) *Building Area.* The area occupied by all buildings shall not exceed 60% of the total lot area. Accessory ground mounted solar energy systems shall not be considered buildings.

(H) *Minimum Buildable Street Frontage.* 50% of the lot width for two-family dwellings.

**161.19 NS-G, Neighborhood Services - General**

(A) *Purpose.* The Neighborhood Services, General district is designed to serve as a mixed use area of medium intensity. Neighborhood Services, General promotes a walkable, pedestrian-oriented neighborhood development form with sustainable and complementary neighborhood businesses that are compatible in scale, aesthetics, and use with surrounding land uses. For the purpose of Chapter 96: Noise Control the Neighborhood Services district is a residential zone.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 12b	General business
Unit 24	Home occupations
Unit 40	Sidewalk cafes
Unit 41	Accessory dwelling units
Unit 44	Cluster housing development
Unit 46	Short-term rentals

Note: Any combination of above uses is permitted upon any lot within this zone. Conditional uses shall need approval when combined with pre-approved uses.

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 13	Eating places
Unit 16	Shopping goods
Unit 19	Commercial recreation, small sites

Unit 25	Offices, studios and related services
Unit 26	Multi-family dwellings
Unit 36	Wireless communication facilities
Unit 45	Small scale production

(C) *Density.* Eighteen (18) or less per acre.

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

All dwellings	35 feet
All other uses	None

(2) *Lot Area Minimum.*

Single-family	4,000 square feet
Two (2) family or more	3,000 square feet per dwelling unit
All other uses	None

(E) *Setback regulations.*

Front	Side	Side-Zero Lot Line*	Rear	Rear when contiguous to a single-family residential district
A build-to zone that is located between the front property line and a line 25 feet from the front property line.	5 feet	A setback of less than 5 feet (zero lot line) is permitted on one interior side, provided a maintenance agreement is filed**. The remaining side setback(s) shall be 10 feet.	None	15 feet

(F) *Building Height Regulations.*

Building Height Maximum	3 stories
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(G) *Minimum Buildable Street Frontage.* 50% of the lot width.

### 161.29 - Neighborhood Conservation

(A) *Purpose.* The Neighborhood Conservation zone has the least activity and a lower density than the other zones. Although Neighborhood Conservation is the most purely residential zone, it can have some mix of uses, such as civic buildings. Neighborhood Conservation serves to promote and protect neighborhood character. For the purposes of Chapter 96: Noise Control, the Neighborhood Conservation district is a residential zone.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
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Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 9	Two (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 12a	Limited business*
Unit 24	Home occupations
Unit 25	Offices, studios, and related services
Unit 28	Center for collecting recyclable materials
Unit 36	Wireless communication facilities
Unit 44	Cluster Housing Development

(C) *Density.* Ten (10) Units Per Acre.

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Single Family	40 feet
Two Family	80 feet
Three Family	90 feet

(2) *Lot Area Minimum.* 4,000 square feet

(E) *Setback Regulations.*

Front	A build-to zone that is located between the front property line and a line 25 feet from the front property line.
Side	5 feet
Rear	5 feet
Rear, from center line of an alley	12 feet

(F) *Building Height Regulations.*

Building Height Maximum	45 feet
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124 W Sunbridge Drive, Suite 5  
Fayetteville, AR 72703  
Office: 479.442.9127  
[www.jorgensenassoc.com](http://www.jorgensenassoc.com)  
Established 1985

February 6, 2024

City of Fayetteville  
Development Services  
113 West Mountain Street  
Fayetteville, AR 72703

CoF Job # RZN-2024-0001  
J+A Job #2021161

Attn: Planning  
Re: Stage Station RZN

To whom it may concern;

Please accept this request for a rezoning of a small portion of the new a development known as Stage Station located off of Old Missouri Road and behind the Butterfield Elementary School. Since the inception of this project, the goal has been to provide a variety of housing options for the market. The development team is making good progress on the first phase and as we move into more detailed design work for phase 2, we have found that it would be beneficial to rezone a portion of the existing NC and existing RSF-4 to RSF-18. In addition we are proposing to rezone the platted and planned tree preservation areas to R-A. We feel that this rezoning will have a positive impact to the layout as the development transitions from west to east. The RSF-18 will allow us to create a pocket community just east of the abandoned 36" water main and will create more variety of housing types in this overall planned community.

We look forward to working with the city to make this a successful project.

Sincerely;

Jorgensen + Associates



**PROJECT TITLE:**  
STAGE STATION  
PHASE 2

**PROJECT LOCATION:**  
FAYETTEVILLE, AR

**REVISIONS**

**DATE:** 2/26/24  
**DRAWN BY:** J. B. HARRIS  
**CHECKED BY:** J. B. HARRIS  
**PROJECT NUMBER:** RZN-2024-0001  
**SCALE:** 1" = 100'

**SEAL:**  
 JORGENSEN + ASSOCIATES  
 PROFESSIONAL ENGINEERS & SURVEYORS  
 No. 1252  
 State of Arkansas

**LEGEND**

**JORGENSEN + ASSOCIATES**  
 Planning Commission  
 Civil Engineering & Surveying Established 1965

124 W Sunbridge Drive, Suite 505  
 Fayetteville, AR 72703  
 Phone: 479-440-2617

**February 26, 2024**

**RZN-2024-0001 (OLD MISSOURI LAND DEVELOPMENT LLC)**

**SHEET TITLE**  
REZONING EXHIBIT

**SHEET NUMBER**  
C1.01

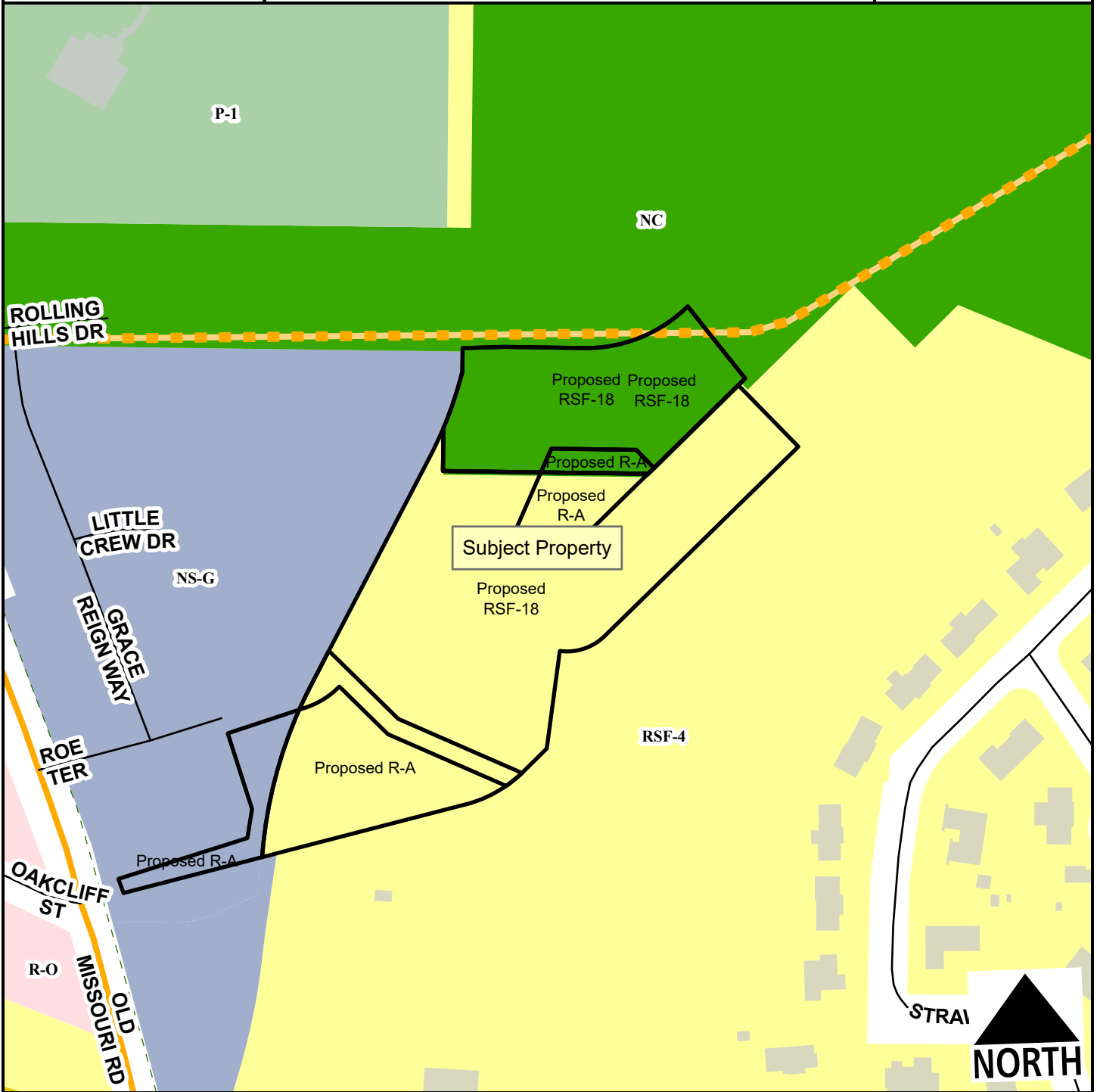
**GRAPHIC SCALE**  
 (IN FEET)  
 1 inch = 100 ft

**Page 14 of 18**

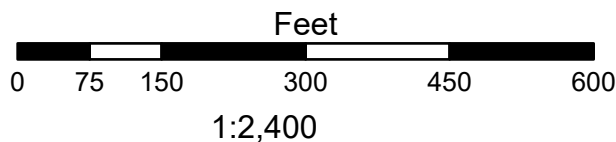
RZN-2024-0001

# 3006 N. OLD MISSOURI RD

Close Up View



- Neighborhood Link
- Residential Link
- Planned Neighborhood Link
- Trail (Proposed)
- Planning Area



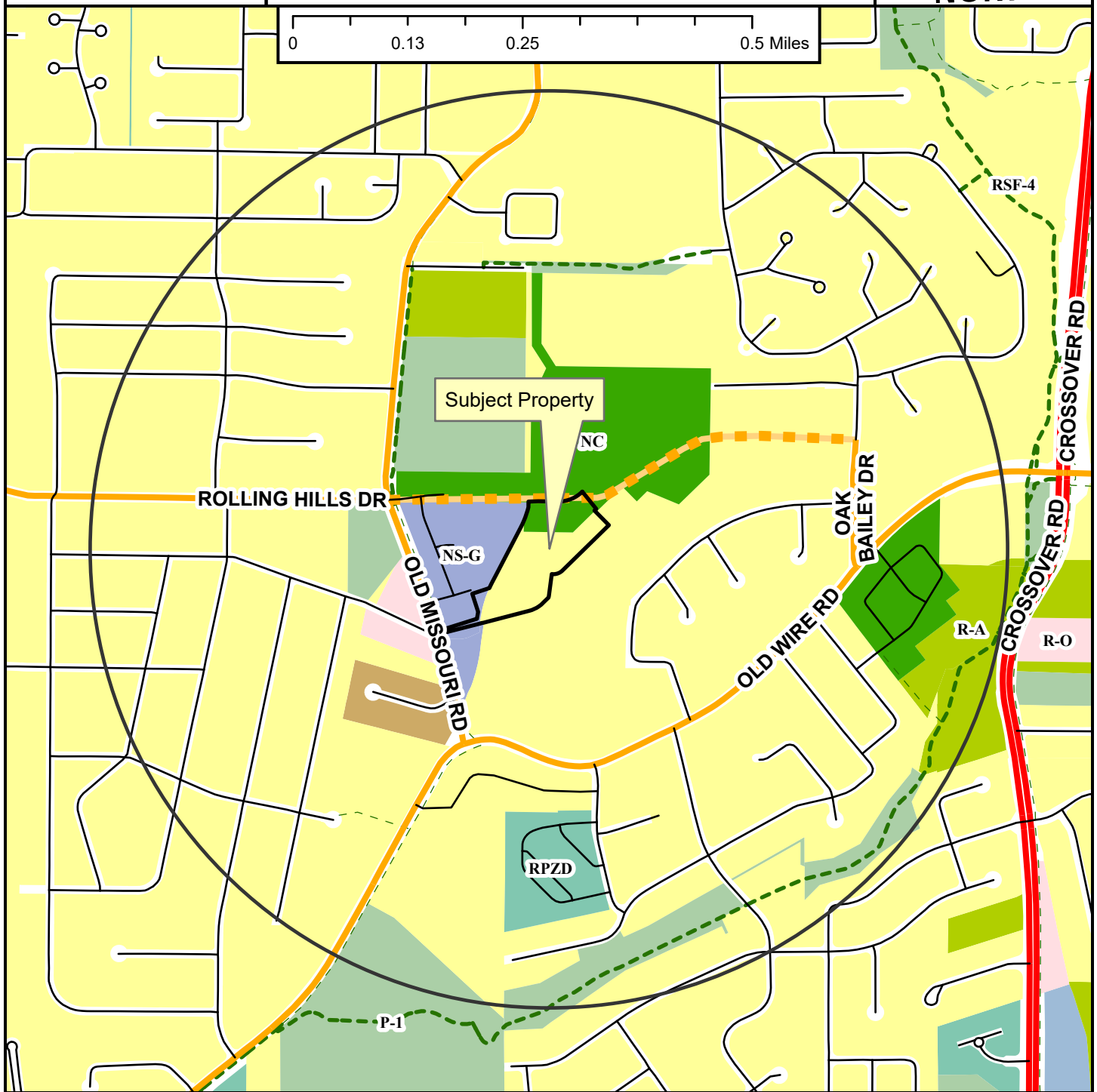
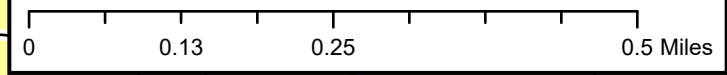
Zone	Current	Proposed
NC	1.5	0.0
NS-G	0.0	0.0
RSF-18	0.0	5.1
RSF-4	3.6	0.0

**Total 5.1 ac**

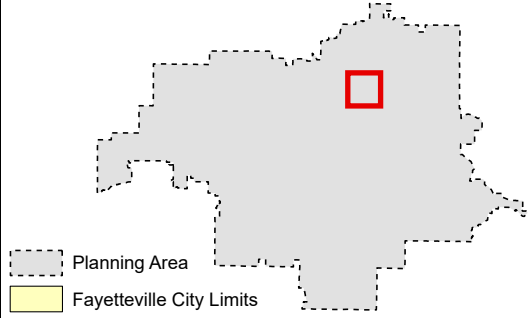
RZN-2024-0001

# 3006 N. OLD MISSOURI RD

One Mile View



- Regional Link
- Neighborhood Link
- Unclassified
- Residential Link
- Planned Neighborhood Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Planning Area



- Zoning**
- RESIDENTIAL SINGLE-FAMILY**
- NS-G
  - RH-U
  - RSF-1
  - RSF-2
  - RSF-4
  - RSF-7
  - RSF-8
  - RSF-18
- RESIDENTIAL MULTI-FAMILY**
- RMF-6
  - RMF-12
  - RMF-18
  - RMF-24
  - RMF-40
- INDUSTRIAL**
- I-1 Heavy Commercial and Light Industrial
- EXTRACTION**
- E-1
- COMMERCIAL**
- C-1 Residential-Office
  - C-2
  - C-3
- FORM BASED DISTRICTS**
- Downtown Core
  - Urban Thoroughfare
  - Main Street Center
  - Downtown General
  - Community Services
  - Neighborhood Services
  - Neighborhood Conservation
- PLANNED ZONING DISTRICTS**
- Commercial, Industrial, Residential
  - P-1

Planning Commission  
February 26, 2024

RZN-2024-0001

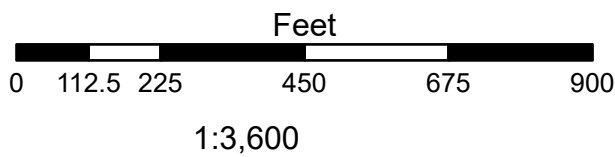
3006 N. OLD MISSOURI RD



Current Land Use



- Neighborhood Link
- Residential Link
- Planned Neighborhood Link
- Trail (Proposed)
- Planning Area



**FEMA Flood Hazard Data**

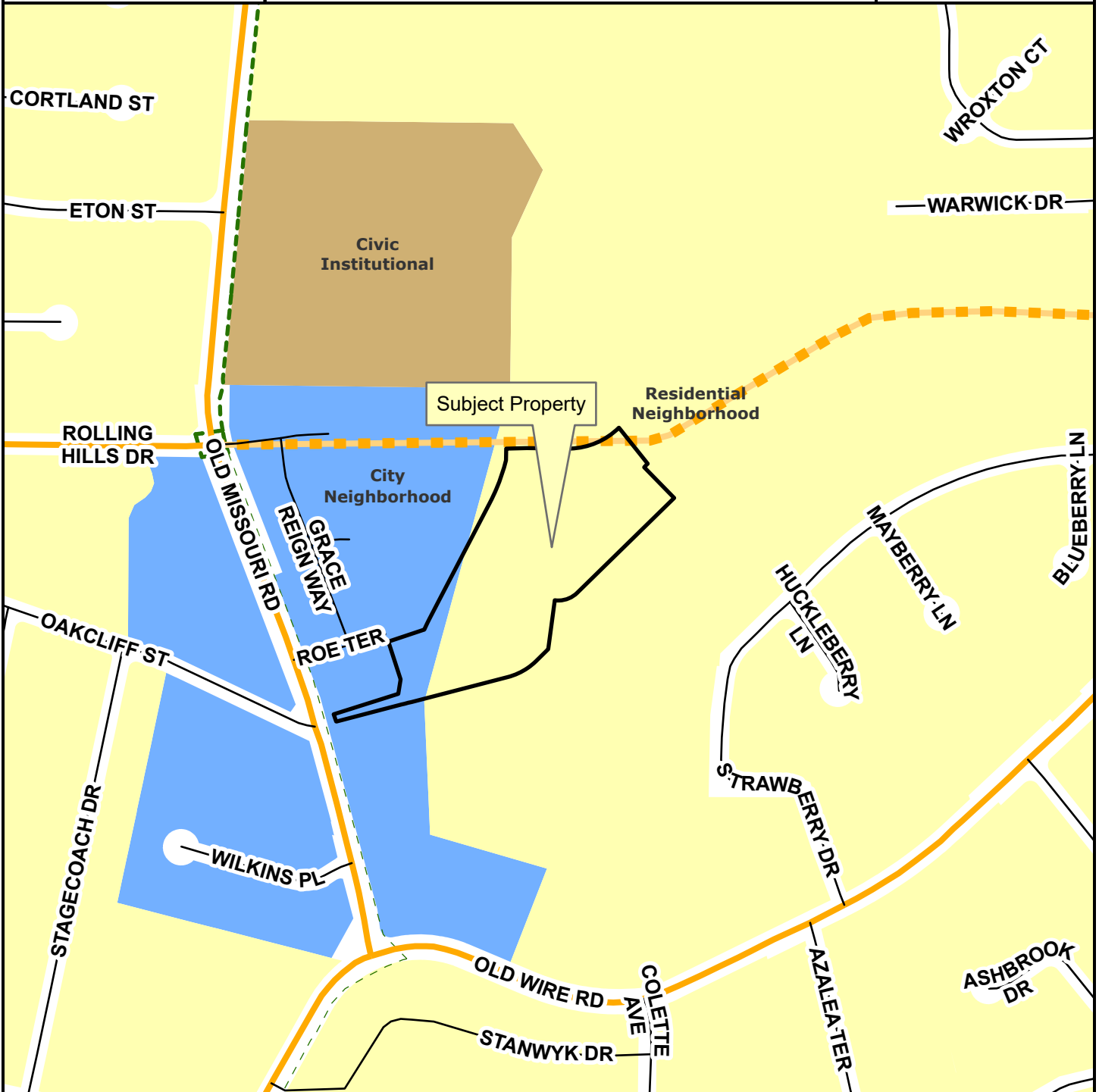
- 100-Year Floodplain
- Floodway

RZN-2024-0001

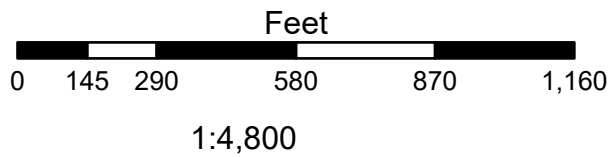
# 3006 N. OLD MISSOURI RD



Future Land Use



- Neighborhood Link
- Unclassified
- Residential Link
- Planned Neighborhood Link
- Planning Area
- Trail (Proposed)



- City Neighborhood
- Civic Institutional
- Civic and Private Open Space
- Industrial
- Natural
- Non-Municipal Government
- Residential Neighborhood
- Rural Residential
- Urban Center