



City of Fayetteville, Arkansas

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

Legislation Text

File #: 2024-1789

RZN-2023-0037: Rezoning (EAST OF E. 9TH ST. & S. WASHINGTON AVE./DAKOTA DEVELOPMENT LLC, 563): Submitted by DAKOTA DEVELOPMENT LLC for property located EAST OF E. 9TH ST. & S. WASHINGTON AVE. in WARD 1. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 1.03 acres. The request is to rezone the property to RI-U, RESIDENTIAL INTERMEDIATE-URBAN.

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2023-0037 FOR APPROXIMATELY 1.03 ACRES LOCATED EAST OF EAST 9TH STREET AND SOUTH WASHINGTON AVENUE IN WARD 1 FROM NC, NEIGHBORHOOD CONSERVATION TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN

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 RI-U, Residential Intermediate-Urban.

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: Gretchen Harrison, Senior Planner

SUBJECT: **RZN-2023-0037: Rezoning (EAST OF E. 9TH ST. & S. WASHINGTON AVE./DAKOTA DEVELOPMENT LLC, 563): Submitted by DAKOTA DEVELOPMENT LLC for property located EAST OF E. 9TH ST. & S. WASHINGTON AVE. in WARD 1. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 1.03 acres. The request is to rezone the property to RI-U, RESIDENTIAL INTERMEDIATE-URBAN.**

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 south Fayetteville just east of Washington Avenue and north of 9th Street. The property includes one parcel totaling 1.03 acres which is currently undeveloped. While it does not have frontage on a public street, the property is bordered to the east, west, and south by platted right-of-way. It received its current zoning designation of NC, Neighborhood Conservation, as a result of the Walker Park Neighborhood Plan in 2008.

Request: The request is to rezone the subject property from NC, Neighborhood Conservation to RI-U, Residential Intermediate-Urban.

Public Comment: Prior to the Planning Commission meeting, staff received public comment on this item from four individuals. Three expressed their support for the proposed rezoning, stating that RI-U would be compatible with the surrounding neighborhood and promote well-scaled infill. Their comments are attached to this report. Another individual called staff and expressed their opposition to the rezoning, citing concerns about drainage and increased density at this location.

Land Use Compatibility: Staff finds the requested rezoning to be generally compatible with surrounding land use and zoning patterns. While the surrounding neighborhood is primarily single-family residential in character, there are several attached dwellings and nonresidential uses in close proximity to the subject property. In terms of zoning, the surrounding neighborhood includes a variety of zoning designations ranging from lower-density single-family residential districts such as NC, Neighborhood Conservation, to mixed-use districts with no stated density limitation, like DG, Downtown General. Where the subject property's existing zoning

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designation of NC allows for the by-right development of single-family dwellings at a density of 10 units per acre, RI-U would allow for the by-right development of single-family to four-family dwellings with density limited by building height limits and development requirements like parking and stormwater infrastructure. With regard to bulk and area regulations, NC allows for the creation of lots with a minimum width of 40 feet and a minimum area of 4,000 square feet. RI-U would allow for lots with a minimum width of 18 feet. There is no stated lot area minimum in the RI-U zoning district. While the subject property does not currently have direct frontage on a public street, staff finds the requested zoning to be generally compatible with the surrounding area. In order for the subject property to be considered developable, whether under the current NC zoning or proposed RI-U zoning, street improvements would need to be installed and/or a variance from the Board of Adjustment would need to be requested since the lot does not currently have frontage on a public street.

City Plan 2040 Infill Matrix: City Plan 2040's Infill Matrix indicates a score of 7 for this site. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station 1, 303 W. Center St.)
- Near Sewer Main (eight-inch main, Washington Avenue)
- Near Water Main (six-inch main, Washington Avenue)
- Near City Park (Walker Park, Jefferson Park)
- Near Paved Trail (Walker Park Trail)
- Near ORT Bus Stop (Route 20)
- Within Master Plan Area (Walker Park Neighborhood)

DISCUSSION:

At the February 26, 2024, Planning Commission meeting, a vote of 5-2-0 forwarded this request to City Council with a recommendation of approval. Commissioner Brink made the motion and Commissioner Winston seconded it. Commissioners Sparkman and Garlock voted against it, expressing concerns about the proposed rezoning resulting in higher-density development that may be out of character with the surrounding neighborhood. Commissioners in favor of the request found the proposed rezoning to be generally compatible with current land uses and future land use plans. Several commissioners expressed concerns about the presence of hydric soils and the lack of access to public streets, water, and sewer on site. Five members of the public spoke against this request at the meeting. Many voiced their concerns about the proposed rezoning resulting in increased development and adversely affecting wildlife and drainage in the neighborhood.

BUDGET/STAFF IMPACT:

N/A

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

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TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Gretchen Harrison, Senior Planner

MEETING DATE: February 26, 2024 (updated with results)

SUBJECT: **RZN-2023-0037: Rezoning (EAST OF E. 9TH ST. & S. WASHINGTON AVE./DAKOTA DEVELOPMENT LLC, 563):** Submitted by DAKOTA DEVELOPMENT LLC for property located EAST OF E. 9TH ST. & S. WASHINGTON AVE. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 1.03 acres. The request is to rezone the property to RI-U, RESIDENTIAL INTERMEDIATE-URBAN.

RECOMMENDATION:

Staff recommends forwarding **RZN-2023-0037** to City Council with a recommendation of approval.

RECOMMENDED MOTION:

*“I move to forward **RZN-2023-0037** to City Council with a recommendation of approval.”*

BACKGROUND:

The subject property is in south Fayetteville just east of Washington Avenue and north of 9th Street. The property contains one parcel totaling 1.03 acres which is currently undeveloped. While it does not have frontage on a public street, the property is bordered to the east, west, and south by platted right-of-way. It received its current zoning designation of NC, Neighborhood Conservation, as a result of the Walker Park Neighborhood Plan in 2008. Surrounding land uses and zoning are depicted in *Table 1*.

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

Direction	Land Use	Zoning
North	Undeveloped	NC, Neighborhood Conservation
South	Undeveloped	NC, Neighborhood Conservation
East	Undeveloped Single-Family Residential	RSF-18, Residential Single-Family, 18 Units per Acre NC, Neighborhood Conservation
West	Single-Family Residential	NC, Neighborhood Conservation

Request: The request is to rezone the subject property from NC, Neighborhood Conservation to RI-U, Residential Intermediate-Urban.

Public Comment: Staff has received public comment on this item from four individuals. Three expressed their support for the proposed rezoning, stating that RI-U would be compatible with the surrounding neighborhood and promote well-scaled infill. Their comments are attached to this report. Another individual called staff and expressed their opposition to the rezoning, citing concerns about drainage and increased density at this location.

INFRASTRUCTURE AND ENVIRONMENTAL REVIEW:

Streets: The subject property has no frontage on a public street. Any street improvements required in this area would be determined at the time of development proposal.

Water: Public water is not available to the subject property. A water main extension would be required at the time of development.

Sewer: Sanitary sewer is not available to the subject property. A sewer main extension would be required at the time of development.

Drainage: Any improvements or requirements for drainage will be determined at the time of development submittal. No portion of the subject property lies within the Hillside/Hilltop Overlay District or a FEMA-designated floodplain and no protected streams are present on site. Hydric soils are present which are known indicators of wetlands. However, for an area to be classified as wetlands, it may also need other characteristics such as hydrophytes (plants that grow in water), and shallow water during parts of the year. Hydric soils can be found across many areas of Fayetteville, including valleys, floodplains, and open prairies. It's important to identify these natural resources during development, so when these soils are identified on a property, further environmental studies will be required at the time of development. Before permits are issued for the property, a statement/report from an environmental professional must be provided summarizing the existence of wetlands on the property. If this statement/report indicates that wetlands may be present on site, a USACE Determination of Jurisdictional Wetlands will be required at the time of development submittal.

Fire: Station 1, located at 303 W. Center St., protects this site. The property is located approximately 1.1 miles from the fire station with an anticipated drive time of approximately four 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 one 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 six minutes for an engine and eight minutes for a ladder truck. Fire apparatus access and fire protection water supplies will be reviewed for compliance with the Arkansas Fire Prevention Code at the time of development.

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

Tree Preservation:

The proposed zoning district, RI-U, Residential Intermediate-Urban, requires **15% minimum canopy preservation**. The current zoning district, NC, Neighborhood Conservation, requires **20% minimum canopy preservation**.

CITY PLAN 2040 FUTURE LAND USE PLAN: City Plan 2040 Future Land Use Plan designates the property within the proposed rezone as **Residential Neighborhood** area. The property is also located within the **Walker Park Neighborhood Master Plan** area.

Residential Neighborhood areas are primarily residential in nature and support a wide variety of housing types of appropriate scale and context. 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 non-residential uses intended to serve the surrounding neighborhoods. This designation recognizes the existing conventional subdivision developments that may have large blocks with conventional setbacks and development patterns that respond to features of the natural environment.

The **Walker Park Neighborhood Master Plan** was the city's first neighborhood plan which was completed in 2008 after City Plan 2025 was adopted. Four guiding principles were identified in the plan which include maintaining a balance of uses and housing, emphasizing connectivity and walkability, creating a core of the neighborhood at Jefferson Square, and preserving accessible greenspace throughout the neighborhood.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a score of 7 for this site with a weighted score of 6.5. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station 1, 303 W. Center St.)
- Near Sewer Main (eight-inch main, Washington Avenue)
- Near Water Main (six-inch main, Washington Avenue)
- Near City Park (Walker Park, Jefferson Park)
- Near Paved Trail (Walker Park Trail)
- Near ORT Bus Stop (Route 20)
- Within Master Plan Area (Walker Park Neighborhood)

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:*** Staff finds the requested rezoning to be generally compatible with surrounding land use and zoning patterns. While the surrounding neighborhood is primarily single-family residential in character, there are several attached dwellings and nonresidential uses in close proximity to the subject property. In terms of zoning, the surrounding neighborhood contains a variety of zoning designations ranging from lower-density single-family residential districts such as NC, Neighborhood Conservation, to mixed-use districts with no stated density limitation like DG, Downtown General. Where the subject property's existing zoning designation of NC allows for the by-right development of single-family dwellings at a density of 10 units per acre, RI-U would allow for the by-right development of single-family to four-family dwellings without limitation to density. With regard to bulk and area regulations, NC allows for the creation of lots with a minimum width of 40 feet and a minimum area of 4,000 square feet. RI-U would allow for lots with a minimum width of 18 feet. There is no stated lot area minimum in the RI-U zoning district. While the subject property does not currently have direct frontage on a public street, staff finds the requested zoning to be generally compatible with the surrounding area. In order for the subject property to be considered developable, whether under the current NC zoning or proposed RI-U zoning, street improvements would need to be installed and/or a variance from the Board of Adjustment would need to be requested since the lot does not currently have frontage on a public street.

Land Use Plan Analysis: Staff finds the applicant's request to be consistent with the City's land use and zoning plans. The subject property is designated as Residential Neighborhood area in the City Plan 2040 Future Land Use Map. Staff finds that a rezoning from NC to RI-U could support that designation since a rezoning to RI-U would allow for a wider variety of housing types. Staff also finds the requested rezoning to be aligned with Goals 1, 4, and 6 of City Plan 2040 since it would encourage residential infill in an area that has a moderate infill score of 7 and is in close proximity to paved trails and bus routes. Staff also finds the proposed rezoning to be generally aligned with the Walker Park Neighborhood Plan since it would retain a balance of housing options and enable residents to live in the same neighborhood as their housing needs change.

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

Finding: Staff finds that the proposed rezoning from NC to RI-U is justified since it would allow for incremental residential infill. The existing NC zoning district has more limited bulk, area, and density limitations and it does not allow for the development of two-family to four-family dwellings by right.

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

Finding: A rezoning from NC to RI-U has the potential to increase traffic at this location when considering that RI-U would allow for more dense development than the existing NC zoning. The property does not currently have frontage on a public street and any street improvements and potential traffic impacts would be determined at the time of development.

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: The proposed rezoning has the potential to alter the population density since it would allow for increased residential development. However, the property is in close proximity to public streets and existing water and sewer mains. Any necessary upgrades or improvements to existing infrastructure would be determined at the time of development. Fayetteville Public Schools did not comment on this request.

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-2023-0037 to City Council with a recommendation of approval.

PLANNING COMMISSION ACTION:	Required	<u>YES</u>	
Date: <u>February 26, 2024</u>	<input type="checkbox"/> Tabled	<input checked="" type="checkbox"/> Forwarded with a recommendation of approval	<input type="checkbox"/> Denied
Motion: Brink			
Second: Winston			
Vote: 5-2-0			

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

- Unified Development Code
 - §161.12 District RI-U, Residential Intermediate - Urban
 - §161.29 Neighborhood Conservation
- Request Letter
- Public Comment
- One Mile Map
- Close-Up Map
- Current Land Use Map
- Future Land Use Map
- **Public Comment Received After Publication of Staff Report**

161.12 District RI-U, Residential Intermediate - Urban

(A) *Purpose.* The RI-U Residential District is designed to permit and encourage the development of detached and attached dwellings in suitable environments, to provide a range of housing types compatible in scale with single-family homes and to encourage a diversity of housing types to meet demand for walkable urban living.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 41	Accessory dwellings
Unit 44	Cluster housing development
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 12a	Limited business
Unit 24	Home occupations
Unit 26	Multi-family dwellings
Unit 36	Wireless communications facilities

(C) *Density.* None.

(D) *Bulk and Area Regulations.*

	Dwelling (all types)
Lot width minimum	18 feet
Lot area minimum	None

(E) *Setback Requirements.*

Front	Side Other Uses	Side Single & Two (2) Family	Rear Other Uses	Rear, from centerline of an alley
A build-to zone that is located between the front property, line and a line 25 feet from the front property line.	None	5 feet	5 feet	12 feet

(F) *Building Height Regulations.*

Building height maximum	2 stories/3 stories*
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* A building or a portion of a building that is located between 0 and 10 feet from the front property line or any master street plan right-of-way line shall have a maximum height of two (2) stories. Buildings or portions of the building set back greater than 10 feet from the master street plan right-of-way shall have a maximum height of three (3) stories.

(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.

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
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 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.*

All dwelling types	40 feet
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(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	3 stories
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**WRITTEN JUSTIFICATION
APPLICATION FOR REZONING**

The subject property is identified as Lots 23-28, Block 4, Glenwood Park Addition to the City of Fayetteville, AR., Tax Parcel Number 765-05718-000 (the “Property”). It is generally located southeast of the intersection of S. Washington Ave and E. 7th Street and is south of the property at 223 E. 7th Street (zoned Downtown General (DG)). The Property consists of one lot totaling 1.02 acre and is zoned Neighborhood Conservation (NC). There are no existing structures on the Property. It is grassed with very few trees. The Applicant requests to rezone the Property to RI-U, Residential Intermediate-Urban.

The request to rezone the Property to RI-U is compatible given the surrounding context. Properties in the near vicinity are primarily used for residential purposes with a small commercial node at the southeast corner of the intersection of S. Washington Ave and E. 7th Street. Nearby uses include: multi-family dwellings along S. Washington Ave; property to the north is developed with the former Jefferson Elementary School; other properties are developed with single-family homes. As a result, the proposed zoning of RI-U is in context with the surrounding properties.

The proposal is consistent with the goals in City Plan 2040 and the future land use designation for this location. Rezoning RI-U fulfills the City Plan 2040 Goals as it: 1) provides appropriate infill and will revitalize the area; 2) facilitates redevelopment of an infill site rather than contributing to suburban sprawl; 3) allows for compact, complete, and connected development on the Property and in the area; 4) sustains a livable transportation network; 6) creates opportunities for additional attainable housing. In addition, the Property scores a minimum of 7 on the Infill Scoring Matrix. Rezoning would put added residential density on properties with ready access to basic development needs such as public streets, water, and sanitary sewer. The Property is also near Walker Park and in close proximity to the University of Arkansas and Fayetteville High School. Rezoning aligns with Goal #4 since additional residential density on the site would be located near multiple transit routes and non-residential uses and employment centers in the Downtown Core area. As a result, the Applicant’s request will not adversely affect the existing use or usability of and is compatible with adjacent and nearby property.

The City Plan 2040 future land use map designates the Property as Residential Neighborhood, which is primarily residential in nature and supports a wide variety of housing types of appropriate scale and context. City Neighborhood Areas encourage density of all housing types and provide a varying mix of nonresidential and residential uses. The rezoning of the Property will help facilitate redevelopment of an infill site rather than contributing to suburban sprawl, create opportunities for diverse and attainable housing, and promotes residential development that is connected to non-residential services.

In addition, the request is consistent with the Walker Park Neighborhood Plan which designates the Property as City Neighborhood Area that encourages a diversified housing stock at an increased density, including multi-family and rowhouses. In addition, this proposed development's location near a neighborhood commercial node enables residents to live in the same neighborhood during different phases of their lives.

For the reasons stated above, rezoning the Property to RI-U is compatible with neighboring property and will not unreasonably adversely affect or conflict with surrounding land uses.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Lawrence Finn', with a stylized, overlapping loop structure.

Lawrence Finn
Dakota Development

From: Wes Bates <bateswt@gmail.com>

Sent: Monday, February 19, 2024 3:54 PM

To: Planning Shared <planning@fayetteville-ar.gov>

Subject: Support for RZN 2023-0037

Planning Commission Members,

I am writing to express my support for the rezoning application RZN 2023-0037 for property southeast of the intersection of E. 7th Street and S. Washington Ave. I am the property owner of 1022 S Beebalm Ave that is near the property. Dakota Development has met with adjacent property owners to answer questions and describe the proposed development. Rezoning to RI-U is appropriate for this area because it is compatible with the neighborhood. Nearby, there are multi-family buildings, single family homes, and a commercial node at the corner of the intersection. Also, rezoning the property to allow additional residential uses will revitalize the area.

I ask the Planning Commission and City Council to approve the application. The rezoning will enhance our quality of life and will be an asset to the neighborhood.

Regards,

Wesley Bates

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Wes Bates

bateswt@gmail.com

479-595-5499

From: Matt Hoffman <matt@mbi-arch.com>
Sent: Tuesday, February 20, 2024 9:53 AM
To: Planning Shared <planning@fayetteville-ar.gov>
Subject: RZN 2023-0037

Madam Chair and Commissioners,

As a nearby resident and adjacent property owner, I am very comfortable with this or any other request to rezone property in this area to RI-U. Development that has taken place under this zoning designation represents some of the most thoughtful and well-scaled infill in our city, and I'm happy to have more of it in my backyard.

As I know it is for many of you, Fayetteville's desperate lack of housing supply - particularly in walkable neighborhoods - is always at the top of my mind.

Best Regards,
Matthew Hoffman
3 E. 4th Street
Fayetteville AR 72701

Property owner:
814 S. Washington

From: Johann Komander <johann.komander@gmail.com>

Sent: Wednesday, February 21, 2024 6:46 PM

To: Planning Shared <planning@fayetteville-ar.gov>

Subject: Support for RZN 2023-0037

Planning Commission Members,

I live at 187 E 9th street on corner of S Washington Ave. The rezoning RZN 2023-0037 is right across the street from my home. I am writing to express my support for the rezoning application. I believe smartly developed and nicely designed infill with increased density is compatible with the neighborhood and is preferable to the sprawling development that is typical just a few blocks east of this location. I also support having more neighbors in the area which is having a revitalizing impact.

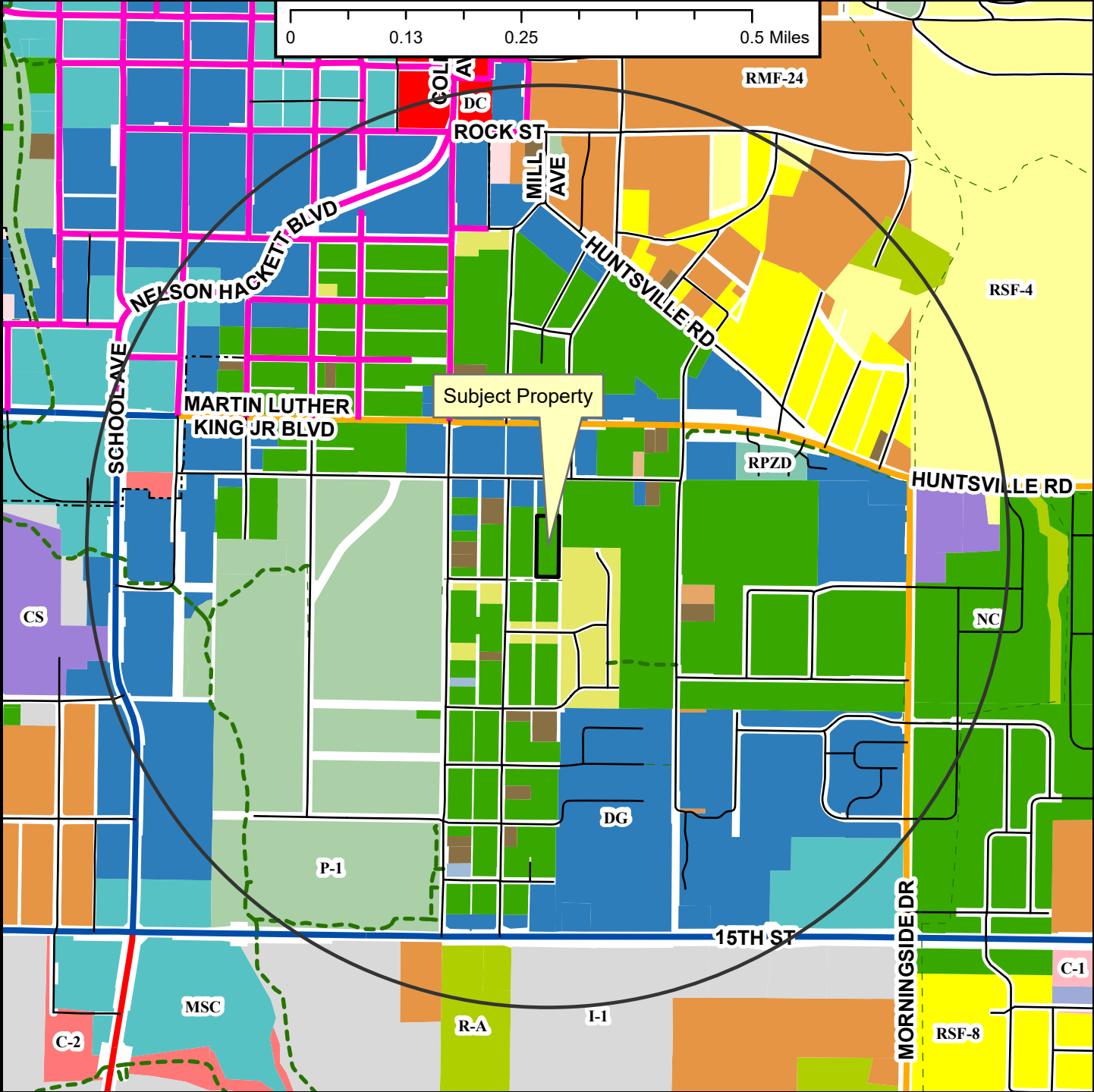
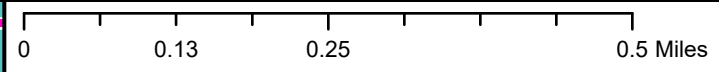
Regards,

Johann Komander

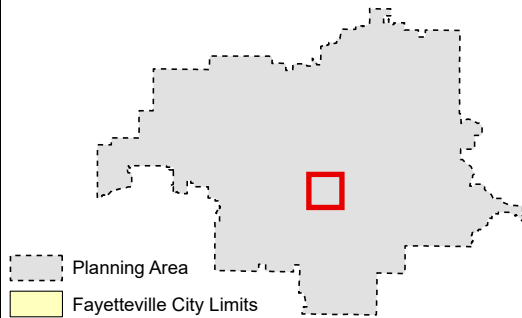
RZN-2023-0037

One Mile View

EAST OF E. 9TH ST & S. WASHINGTON AVE



- Regional Link
- Neighborhood Link
- Regional Link - High Activity
- Urban Center
- Unclassified
- Alley
- Residential Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Design Overlay District
- Planning Area

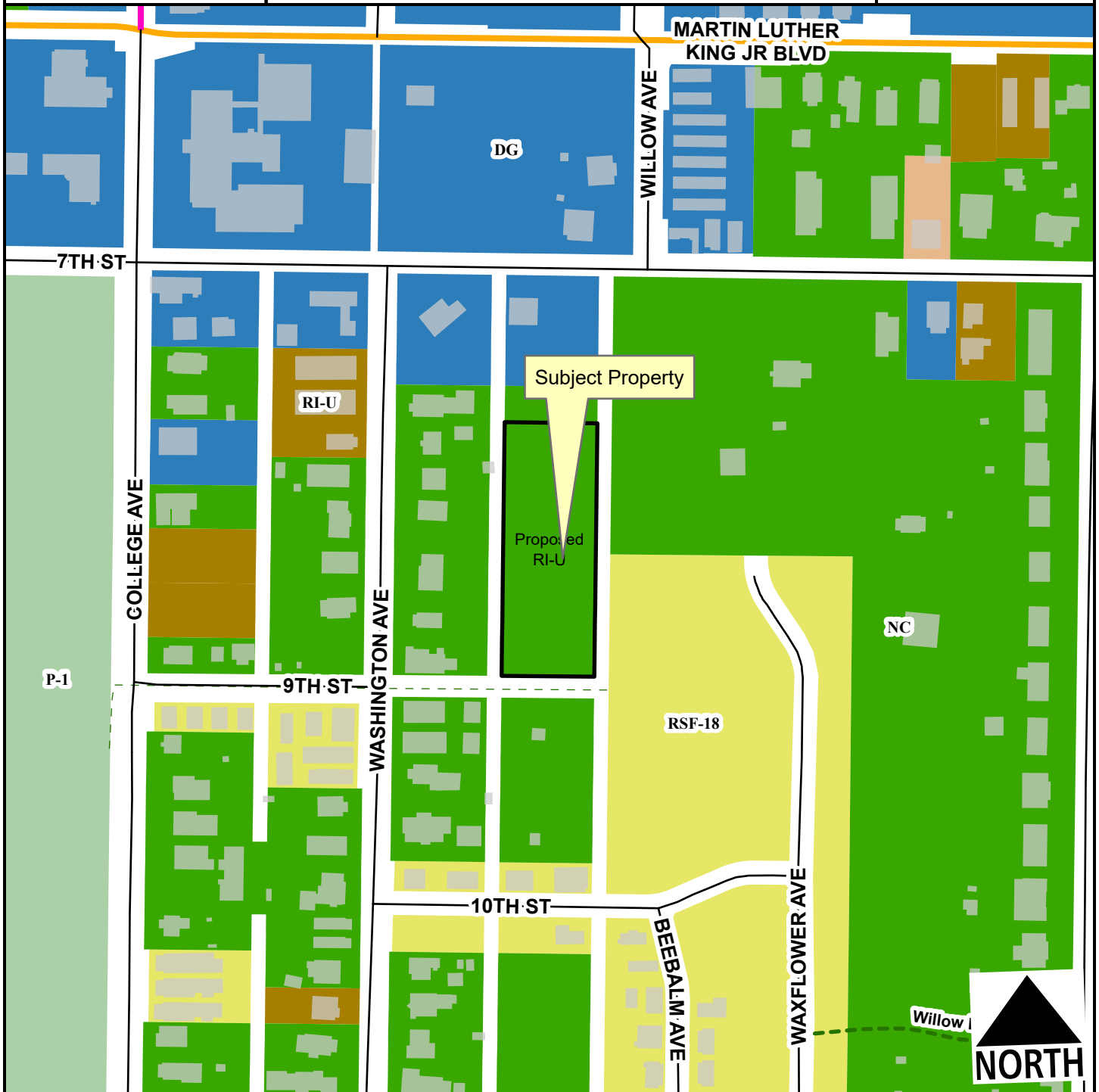


- Zoning**
- RESIDENTIAL SINGLE-FAMILY**
- NS-G
 - RH-U
 - RSF-1
 - RSF-2
 - RSF-4
 - RSF-7
 - RSF-8
 - RSF-18
- RESIDENTIAL MULTI-FAMILY**
- RMF-6
 - RMF-12
 - RMF-18
 - RMF-24
 - RMF-40
- INDUSTRIAL**
- I-1 Heavy Commercial and Light Industrial
 - I-2 General Industrial
- EXTRACTION**
- E-1
- COMMERCIAL**
- Residential-Office
 - C-1
 - 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
 - INSTITUTIONAL
 - P-1

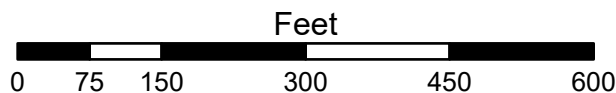
RZN-2023-0037

EAST OF E. 9TH ST & S. WASHINGTON AVE

Close Up View



- Neighborhood Link
- Urban Center
- Residential Link
- Trail (Proposed)
- Planning Area



1:2,400

Zone	Current	Proposed
NC	1.0	0.0
RI-U	0.0	1.0
Total		1.0 ac

RZN-2023-0037

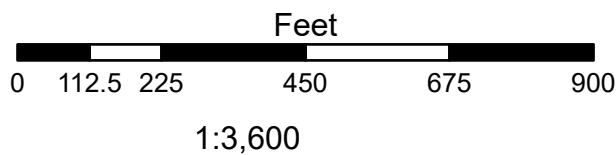
EAST OF E. 9TH ST & S. WASHINGTON AVE



Current Land Use



- Neighborhood Link
- Urban Center
- Unclassified
- Residential Link
- Trail (Proposed)
- Planning Area



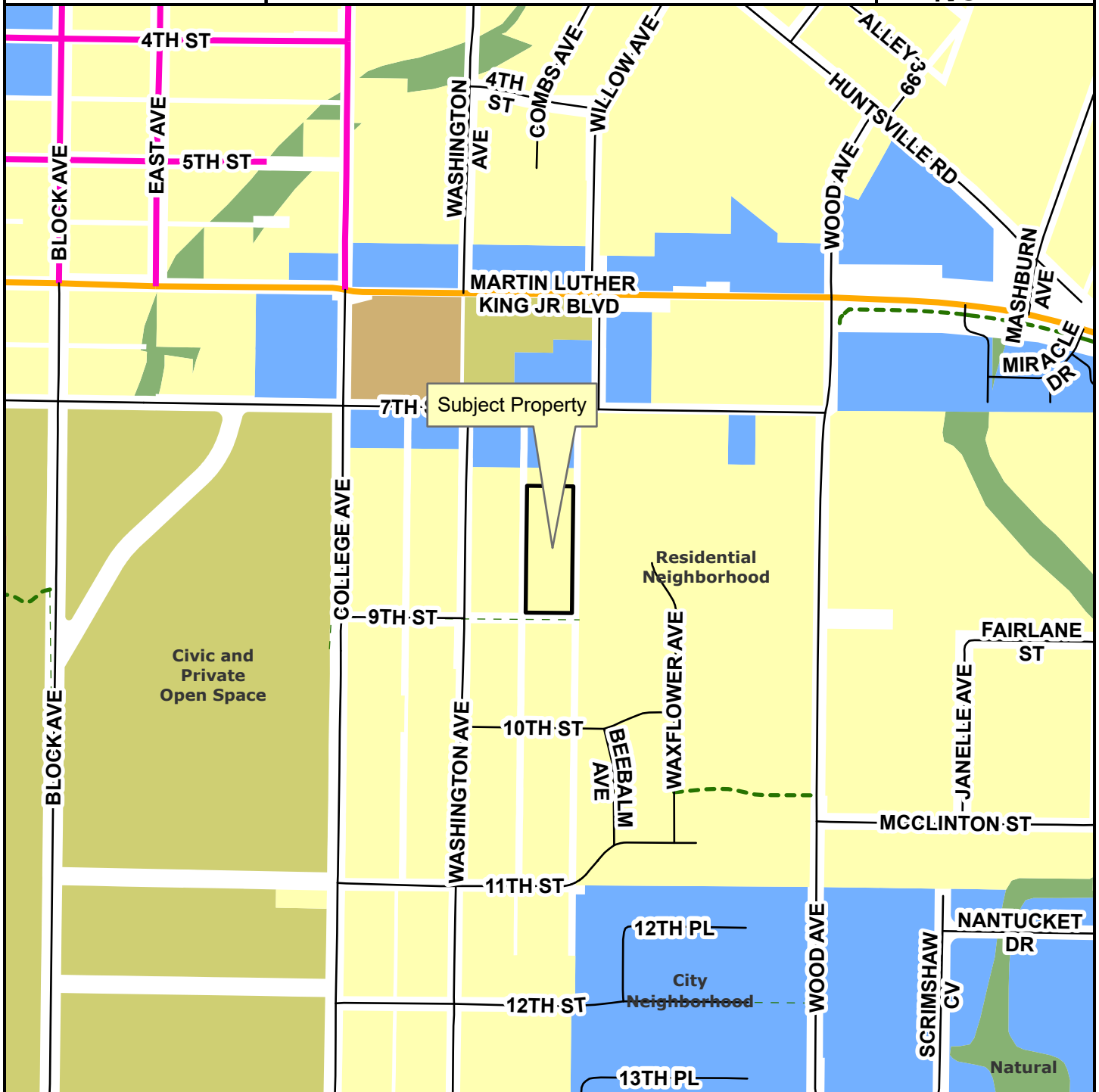
- FEMA Flood Hazard Data**
- 100-Year Floodplain
 - Floodway

RZN-2023-0037

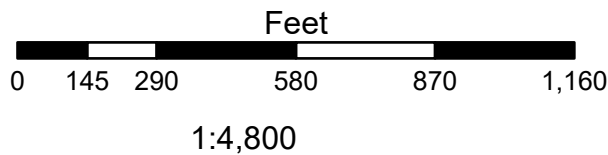
EAST OF E. 9TH ST & S. WASHINGTON AVE



Future Land Use



- Neighborhood Link
- Urban Center
- Unclassified
- Alley
- Residential Link
- Planning Area
- Trail (Proposed)
- Design Overlay District



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

From: Grant Ragland <grantragland@gmail.com>
Sent: Friday, February 23, 2024 9:25 AM
To: Planning Shared <planning@fayetteville-ar.gov>
Cc: Dakdev <lawfinn@dakdev.com>; laurel@glawgp.com; Solomon Burchfield <solomonburchfield@gmail.com>
Subject: Email of support for RZN 2023-0037

Planning Commission Members,

I am writing to express my conditional support for the rezoning application RZN 2023-0037 for property southeast of the intersection of E. 7th Street and S. Washington Ave. I own and live at 906 S. Washington and own property at 890 S. Washington, both of which are adjacent to the proposed development.

I've met with Dakota Development and talked with them about the project. It seems very cool. I support the kind of urban infill that they are proposing for the project. Increasing density in this area by utilizing an undeveloped plot of land seems in step with Fayetteville's development goals. I especially like the charming quality of the infill that they are proposing, as it feels it would suit the neighborhood and would revitalize the area and attract growth, which will in turn support the community.

My conditional support isn't related to the zoning, but to access, so it's probably irrelevant for the Planning Commission. I support access to the proposed development via 7th Street and not an extension of 9th Street, as an extension of 9th Street would require the cutting of multiple mature trees between my two properties, and any access via 9th Street would be dangerously close to my home.

Thank you,

--

Grant Ragland

From: Tenisha Gist <Tenisha@partnersforbetterhousing.org>
Sent: Friday, February 23, 2024 5:07 PM
To: Planning Shared <planning@fayetteville-ar.gov>
Cc: lawfinn@dakdev.com; Elston Blake Forte <Elston@partnersforbetterhousing.org>
Subject: Email of support for RZN 2023-0037

Dear Planning Commission Members,

On behalf of Partners for Better Housing, I would like to express my support for the rezoning application RZN 2023-0037 for property southeast of the intersection of E. 7th Street and S. Washington Ave. Our development, Homes at Willow Bend, is adjacent to the properties in question.

We have met with Dakota Development about the proposed development and agree that rezoning to RI-U is compatible and complementary to the neighborhood as there are diverse property structures nearby (i.e. multi-family buildings, single family homes, a commercial node at the corner of the intersection). The property rezone will allow additional residential uses that will revitalize the area.

We endorse Dakota Development rezoning to RI-U and recommend application approval.

Thank you,

Tenisha Gist, M.Ed.

Interim Executive Director

Partners for Better Housing

1670 E. Joyce Blvd., Suite 1

Fayetteville, AR 72703

Main line: 479-755-3497

Direct line: 479-434-1163

www.partnersforbetterhousing.org

Dear neighbors and community members,

We must stand together against the proposed rezoning of the field behind our houses. This area serves as a valuable nature preserve, offering a peaceful retreat for both wildlife and our children. Its marshy nature makes it unsuitable for construction, and we firmly believe it should remain untouched.

Green spaces are vital for maintaining a healthy and balanced environment. Overdeveloping every available patch of land not only destroys the beauty of our neighborhood but also disrupts the delicate ecological balance. Let us remember the importance of preserving these spaces for future generations to enjoy.

If development becomes unavoidable, we urge the authorities to consider keeping the current zoning designation as Neighborhood Conservation (NC). This will help maintain the tranquility and harmony of our community, ensuring that the new construction aligns with the character of our existing homes.

Let us come together and voice our opposition to the rezoning proposal. By doing so, we can protect the natural beauty of our neighborhood and preserve the peace that makes it such a wonderful place to live.

Sincerely,

Concerned Residents

Amanda and William Hall	Drake Jenkins
Deri Kvern 711 S. Washington Ave Foyetteville, AR	
Emma Ridings	
Mark Joy	
Scott Walker	
Megan Walker	
Adrienne Lumb	
Samantha Vital	