



City of Fayetteville, Arkansas

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

Legislation Text

File #: 2024-1835

RZN-2024-0007: Rezoning (VARIOUS PARK PROPERTIES/ FAYETTEVILLE PARKS, NATURAL RESOURCES, AND CULTURAL AFFAIRS, PLAT PAGE VARIES): Submitted by CITY OF FAYETTEVILLE STAFF for VARIOUS PARK PROPERTIES LOCATED WITHIN THE CITY LIMITS OF FAYETTEVILLE. The properties are in VARIOUS ZONING DISTRICTS and total approximately 2,461.60 acres. The request is to rezone the properties to P-1, INSTITUTIONAL.

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2024-0007 FOR APPROXIMATELY 2,461.60 ACRES LOCATED AT VARIOUS CITY PARK PROPERTIES FROM VARIOUS ZONING DISTRICTS TO P-1, INSTITUTIONAL

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 various zoning districts to P-1, Institutional.

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 APRIL 2, 2024

TO: Mayor Jordan and City Council

THRU: Susan Norton, Chief of Staff
Jonathan Curth, Development Services Director

FROM: Jessica Masters, Development Review Manager

SUBJECT: **RZN-2024-0007: Rezoning (VARIOUS PARK PROPERTIES/ FAYETTEVILLE PARKS, NATURAL RESOURCES, AND CULTURAL AFFAIRS, PLAT PAGE VARIES): Submitted by CITY OF FAYETTEVILLE STAFF for VARIOUS PARK PROPERTIES LOCATED WITHIN THE CITY LIMITS OF FAYETTEVILLE. The properties are in VARIOUS ZONING DISTRICTS and total approximately 2,461.60 acres. The request is to rezone the properties to P-1, INSTITUTIONAL.**

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 properties are owned by the City of Fayetteville and managed by the City of Fayetteville Department of Parks, Natural Resources, and Cultural Affairs. This includes a wide-ranging collection of 15 properties that encompass over 2,400 acres and vary in size, scale, and level of development. They range from small, undeveloped neighborhood parks and greenspaces that have been acquired through parkland dedication, to parks that are developed with larger, regional attractions, such as Centennial Park, Lake Fayetteville, and Lake Sequoyah. Following two recent 2019 Bond Project redevelopment projects (the Yvonne Richardson Community Center expansion, and the redevelopment of the Lake Fayetteville softball fields), it came to staff's attention that many Parks properties were out of compliance with current zoning standards and do not afford by-right use as parks. While non-conforming properties can continue to exist and be maintained, ordinance prohibits the expansion or reconstruction of those facilities if they are not in compliance with current zoning standards. Additionally, the recent adoption of the Parks Master Plan in February 2023 (Imagine Tomorrow's Parks) established guiding principles and goals for the next ten years that are, in many cases, predicated on the assumption that many of the subject properties will be programmed to greater or lesser degree as parkland.

Request: The City of Fayetteville Department of Parks, Natural Resources, and Cultural Affairs requests to rezone the subject properties from their current zoning designations (various) to P-1, Institutional. This rezoning request is intended to align Parks-owned properties with the correct zoning designation, similar to the effort completed in 2008 (Ordinance 5116).

Public Comment: Staff have received many inquiries from the public about the proposal, but no direct comments in opposition to or support of the request. Rather, most members of the public that staff spoke with were satisfied upon learning that the effort was to ensure that Parks properties were zoned according to their

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existing or intended use. Members of the public did ask questions regarding any planned development on the heels of this rezoning and were directed to the Parks department directly for feedback on future development and master planning processes.

Land Use Compatibility: Staff finds that the proposed zoning change is compatible with surrounding land uses. The properties are already being used as parks facilities, though with different classifications associated with them. The Parks Department uses 8 different classifications of parks: Regional Parks, Community Parks, Neighborhood Parks, Non-City Parks, Special Use, Natural Area, Undeveloped Parks, and Trail Corridors and Greenways. Each designation has a specific set of criteria, and staff finds those criteria can be met with a rezoning to the P-1 zoning district, especially with the consideration for the adoption of new standards to apply to that district.

The Regional Parks (Centennial, Lake Fayetteville, Lake Sequoyah, and Lake Wilson) are meant to have a regional draw and have direct access from arterial streets and access to regional trail systems. Zoning these locations as P-1 would allow for the continuation of the existing uses, such as lakes, trails, and the redevelopment of ball and play fields. The Neighborhood Parks under consideration (Bayyari Park, Clarence Craft Park, White River Park, Rodney Ryan Park, Yvonne Richardson Community Center) are typically 2 to 10 acres in size, and are meant to provide leisure opportunities (including play fields, and shaded areas for gathering) within walking distance of individual neighborhoods. The uses, setbacks, and allowances in P-1 would allow for the continuation of these neighborhood needs to be met, by allowing for Use Unit 4 by-right, where many of those neighborhood parks are currently zoned for residential uses. Many of the parks under consideration with this request are currently “Undeveloped,” including Combs Park, Lierly Lane Park, Owl Creek Park, Quarry Trace Park Land, South Yard Park Land, and Hughmont Village Park Land. Undeveloped parks differ from “Natural Areas” in that they are not necessarily intended to remain undeveloped but have perhaps not yet been improved in accordance with long-term plans. Many of the parks in this classification have only been acquired within the last decade through parkland dedication with associated residential developments.

Land Use Plan Analysis: The proposed zoning to P-1, Institutional is compatible with the Future Land Use Map, which in most instances (though not all) identify the areas in question as Civic and Private Open Space. By rezoning to P-1, these parks can be developed or redeveloped to help meet future goals and serve the needs of the community. If they are to stay in their existing zoning districts (such as RSF-1, NC, or I-1), the City would have a more difficult time implementing the 2023 Parks Master Plan, and would involve a more piecemeal approach to rezoning these properties. Staff finds that taking this broader approach saves City resources and time instead of rezoning at the time of a specific development proposal or funding opportunity.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040’s Infill Matrix indicates varying scores for the subject Parks properties. Full evaluation of each site is provided in the attached Planning Commission report.

DISCUSSION:

At the March 11, 2024 Planning Commission meeting, a unanimous vote of 9-0-0 forwarded the request to City Council with a recommendation of approval. Commissioner Sparkman made the motion and Commissioner Brink seconded. Commissioners offered support of the request, appreciating the batch approach to the rezoning as Parks continue to develop, and finding the request to rezone to P-1 to be a compatible zoning district for parks and recreational purposes. 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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TO: City of Fayetteville Planning Commission

FROM: Jessie Masters, Development Review Manager

MEETING DATE: March 11, 2024

SUBJECT: **RZN-2024-0007: Rezoning (VARIOUS PARK PROPERTIES/ FAYETTEVILLE PARKS, NATURAL RESOURCES, AND CULTURAL AFFAIRS, PP VARIES):** Submitted by CITY OF FAYETTEVILLE STAFF for VARIOUS PARK PROPERTIES LOCATED WITHIN THE CITY LIMITS OF FAYETTEVILLE. The properties are in VARIOUS ZONING DISTRICTS and total approximately 2,461.60 acres. The request is to rezone the properties to P-1, INSTITUTIONAL.

RECOMMENDATION:

Staff recommends **RZN-2024-0007** be forwarded to the City Council with a recommendation for approval.

BACKGROUND:

The subject properties are owned by the City of Fayetteville and managed by the City of Fayetteville Department of Parks, Natural Resources, and Cultural Affairs. A wide-ranging collection of properties encompassing over 2400 acres of City-owned land, the properties vary in size, scale, and level of development. They range from small, undeveloped neighborhood parks and greenspaces that have been acquired through parkland dedication, to parks that are developed with larger, regional Fayetteville attractions, such as Centennial Park, Lake Fayetteville and Lake Sequoyah. Following two recent 2019 Bond Project redevelopment projects (the Yvonne Richardson Community Center expansion, and the redevelopment of the Lake Fayetteville softball fields), it came to staff’s attention that many Parks properties were out of compliance with current zoning standards. While non-conforming properties can continue to exist and be maintained, code prohibits the expansion or reconstruction of those facilities if they are not in compliance with current zoning standards. The City also recently adopted the Parks Master Plan in February 2023 (Imagine Tomorrow’s Parks), which established guiding principles and goals for the next ten years. The full list of properties under consideration can be found in *Table 1*.

Request: City of Fayetteville Department of Parks, Natural Resources, and Cultural Affairs requests to rezone the subject properties from their current zoning designations (various) to P-1, Institutional. This rezoning request is intended to align Parks-owned properties with the correct zoning designation.

Public Comment: Staff have received many inquiries from the public about the proposal, but no direct comments in opposition or support of the request. Rather, most members of the public that staff spoke to were satisfied upon learning that the effort was to make sure that Parks properties were zoned correctly. Members of the public did ask questions regarding any planned development on the heels of this rezoning, and were directed to the Parks department directly for feedback on future development and master planning processes.

**TABLE 1
PARK PROPERTIES TO BE REZONED**

	Park	Location	Current Zoning	Acreage
1	Bayyari Park	N. of S. Hoddle Place	RSF-7, Residential Single-Family, 7 Units per Acre	0.41
2	Centennial Park	N. of W. Old Farmington Road, S. of N. Mountain Ranch Road	RSF-2, Residential Single-Family, 2 Units per Acre; RMF-12, Residential Multi-Family, 12 Units per Acre; C-1, Neighborhood Commercial; RPZD, Residential Planned Zoning District	230.50
3	Clarence Craft Park	SE of N. Old Wire Road and E. Adelaide Lane	NC, Neighborhood Conservation	1.80
4	Combs/White River Park	E of E. Borick Drive	R-A, Residential Agricultural; RPZD, Residential Planned Zoning District	11.90
5	Fay Jones Woods	E of S. Gregg Avenue, W of S. West Avenue	NC, Neighborhood Conservation; DG, Downtown General	0.20
6	Hughmont Village Park Land	SE of W. Canyon Run Drive and N. Golden Willow Drive	R-A, Residential Agricultural	3.0
7	Lake Fayetteville	NW of N. Crossover Drive and E. Zion Road	R-A, Residential Agricultural	610.30
8	Lake Sequoyah	NE of E. Huntsville Road and Lake Sequoyah Drive; South of E. Huntsville Road	RSF-1, Residential Single-Family, 1 Unit Per Acre; R-A, Residential Agricultural	1,258.50
9	Lake Wilson	S of S. Lake Wilson Road	R-A, Residential Agricultural	315.4
10	Lierly Lane Park Land	S. of W. Lierly Lane; N of W. Berseis Drive	RSF-4, Residential Single-Family, 4 Units per Acre	3.24
11	Owl Creek Park Land	E. of N. Broyles Avenue; W. of N Rupple Road	R-A, Residential Agricultural	19.4
12	Quarry Trace Park Land	S. of E. April Lane	R-A, Residential Agricultural; RSF-4, Residential Single-Family, 4 Units per Acre	2.6
13	Rodney Ryan Park	S of E. Black Canyon Street	RSF-4, Residential Single-Family, 4 Units per Acre	0.4
14	South Yard Park Land	SE of Martin Luther King Jr. Blvd, and S. Lt. Col. Leroy Pond Avenue	MSC, Main Street Center; I-1, Heavy Commercial and Light Industrial	1.3
15	Yvonne Richardson Community Center	NE of S. Washington Avenue and E. Rock Street	RMF-24, Residential Multi-Family, 24 Units per Acre	2.65

**TABLE 2
CITY PLAN 2040 FUTURE LAND USE DESIGNATION/INFILL SCORE**

	Park	Location	Future Land Use Designation	Infill Score
1	Bayyari Park	N. of S. Hoddle Place	Civic and Private Open Space	4
2	Centennial Park	N. of W. Old Farmington Road, S. of N. Mountain Ranch Road	Civic and Private Open Space	2-5
3	Clarence Craft Park	SE of N. Old Wire Road and E. Adelaide Lane	Civic and Private Open Space	4-5
4	Combs/White River Park	E of E. Borick Drive	Civic and Private Open Space; Natural Area	1-3
5	Fay Jones Woods	E of S. Gregg Avenue, W of S. West Avenue	Civic and Private Open Space	12
6	Hughmont Village Park Land	SE of W. Canyon Run Drive and N. Golden Willow Drive	Civic and Private Open Space	4
7	Lake Fayetteville	NW of N. Crossover Drive and E. Zion Road	Civic and Private Open Space	1-2
8	Lake Sequoyah	NE of E. Huntsville Road and Lake Sequoyah Drive; South of E. Huntsville Road	Civic and Private Open Space	0-1
9	Lake Wilson	S of S. Lake Wilson Road	Civic and Private Open Space	0-1
10	Lierly Lane Park Land	S. of W. Lierly Lane; N of W. Berseis Drive	Residential Neighborhood	4
11	Owl Creek Park Land	E. of N. Broyles Avenue; W. of N Ruppel Road	Civic and Private Open Space; Natural Area	2-4
12	Quarry Trace Park Land	S. of E. April Lane	Civic and Private Open Space	3
13	Rodney Ryan Park	S of E. Black Canyon Street	Civic and Private Open Space; Residential Neighborhood	1-2
14	South Yard Park Land	SE of Martin Luther King Jr. Blvd, and S. Lt. Col. Leroy Pond Avenue	City Neighborhood	11-12
15	Yvonne Richardson Community Center	NE of S. Washington Avenue and E. Rock Street	Civic and Private Open Space	9-10

**TABLE 3
INFRASTRUCTURE AND ENVIRONMENTAL REVIEW**

	Park	Water	Sewer	Drainage	Fire and Police*
1	Bayyari Park	16" water main at SE corner of property	8-inch sanitary sewer along Southern property line from S. Hoddle Place to the ease.	FEMA Floodplain, Protected Stream (West Fork of the White River), Hydric Soils	Station #3, 1050 S. Happy Hollow Road. 2.5 miles from fire station with 5-minute drive time, 7.2-minute response time.
2	Centennial Park	8-inch water mains in S. Centennial Park Lane, N. Mountain Ranch Blvd., West Technology Way. 6-inch water main and 36-inch transmission line along W. Old Farmington Rd.	8-inch sanitary sewer in W. Old Farmington Road and N. Mountain Ranch Blvd.	Hillside-Hilltop Overlay District, FEMA Floodplain, Protected Stream (unnamed tributary of Farmington Branch), Hydric Soils	Station #6, 990 S. Hollywood Avenue. 1.5 miles from fire station with 5-minute drive time, 7.2-minute response time.
3	Clarence Craft Park	8-inch water main along N. Old Wire Road and E. Cicero Lane. 36-inch water transmission main along N. Old Wire Road.	15-inch sanitary interceptor main through the park. 8-inch sanitary main from N. Jordan Lane connecting to a 10-inch sanitary sewer main at N. Ramsey Ave, flowing into a 12-inch that connects to a 15-inch sanitary interceptor main. 8-inch sanitary main along N. Rhonda Drive becomes present along W. side of park before flowing into a 10-inch main, a 12-inch main along N. Old Wire where it connects to a 15-inch sanitary interceptor main. 8-inch sanitary sewer main in E. Adelaide Lane.	FEMA Floodplain, Protected Stream (Niokaska Creek), Hydric Soils	Station #5, 2979 N. Crossover Road. 2.7 miles from fire station with a 5-minute drive time, 7.2-minute response time.
4	Combs/White River Park	12-inch water main, west side of the park which crosses the park around E. Borick Drive. (2) 8-inch mains connecting to the 12-inch main.	12-inch sanitary sewer along east side of the West Fork of the White River. 8-inch gravity sanitary sewer along E. Borick Drive	FEMA Floodplain, Protected Stream (West Fork of the White River), Hydric Soils	Station #3, 1050 S. Happy Hollow Road. 1.2 miles from fire station with a 3-minute drive time, 5.2-minute response time.

	Park	Water	Sewer	Drainage	Fire and Police*
5	Fay Jones Woods	6-inch water main along S. Gregg Avenue, 6-inch water main on W. Prairie Street, 6-inch water main along S. West Avenue, 6-inch water main within Fay Jones Woods.	8-inch sanitary sewer along west side of S. Gregg Avenue. 12-inch sanitary sewer and 18-inch sanitary sewer transmission.	Protected Stream (Tanglewood Branch), Hydric Soils	Station #1, 303 W. Center Street. 0.3 miles from fire station with a 1-minute drive time, 3.2-minute response time.
6	Hughmont Village Park Land	8-inch water mains on N. Golden Willow Drive and W. Canyon Run Drive	8-inch sanitary sewer on N. Golden Willow Drive and W. Canyon Run Drive	FEMA Floodplain, Protected Stream (Clabber Creek), Hydric Soils	Station #7, 835 N. Ruppel Road. 2.9 miles from fire station with a 7-minute drive time, 9.2-minute response time.
7	Lake Fayetteville	8-inch water main E. Lake Fayetteville Road, 8-inch water main N. Crossover Road, 12-inch water main along E. Zion Road	8-inch sanitary sewer main, N. Crossover Road. 8-inch sanitary sewer main at Veteran's Park	FEMA Floodplain, Protected Stream (Lake Fayetteville, Clear Creek, Hilton Creek, and four unnamed tributaries), Hydric Soils	Station #4, 3385 N. Plainview Avenue. 2.2 miles from fire station with a 6-minute drive time, 8.2 minute response time.
8	Lake Sequoyah	8-inch water main, S. Lake Sequoyah Spur, 6-inch water main E. Lake Sequoyah Drive, flowing into an 8-inch water main across the bridge, 8-inch water main along E. Huntsville Road.	8-inch force main along E. Huntsville Road.	Hillside-Hilltop Overlay District, FEMA Floodplain, Protected Stream (Lake Sequoyah, Middle Fork of the White River, White River), Hydric Soils	Station #3, 1050 S. Happy Hollow Road. 5.1 miles from fire station with a 9-minute drive time, 11.2-minute response time.
9	Lake Wilson	No public water available	No sanitary sewer available	Hillside-Hilltop Overlay District, FEMA Floodplain, Protected Stream, (Two unnamed tributaries that flow into Lake Wilson from the south, Lake Wilson, unnamed tributary flowing north from Lake Wilson), Hydric Soils	Station #9, 2250 S. School Avenue. 4.7 miles from fire station with a 9-minute drive time, 11.2-minute response time.
10	Lierly Lane Park Land	8-inch water mains W. Lierly Lane and W. Berseis Drive	8-inch sanitary sewer main W. Berseis Drive	N/A	Station #7, 835 N. Ruppel Road. 3.2 miles from fire station with a 7-minute drive time, 9.2-minute response time.

	Park	Water	Sewer	Drainage	Fire and Police*
11	Owl Creek Park Land	12-inch water mains along N. Broyles Ave and N. Ruppel Road	15-inch sanitary interceptor flowing into an 18-inch interceptor along Owl Creek. 8-inch sanitary sewer main flowing into the 18-inch sanitary interceptor, and another 8-inch sanitary sewer main flowing into the 18-inch interceptor.	FEMA Floodplain, Protected Stream (Owl Creek, unnamed tributary from southeast to northwest), Hydric Soils	Station #7, 835 N. Ruppel Road. 1.3 miles from the fire station with a 3-minute drive time, 5.2-minute response time.
12	Quarry Trace Park Land	8-inch water main on E. Paril and S. Spritz Drive	8-inch sanitary sewer on east side of S. Spritz Drive	N/A	Station #3, 1050 S. Happy Hollow Road. 3.5 miles from fire station with a 6-minute drive time, 8.2-minute response time.
13	Rodney Ryan Park	12-inch water main on E. Black Canyon Street, 8-inch water main on S. River Meadows Drive	8-inch sanitary sewer main on E. Black Canyon Street, and S. River Meadows Drive	FEMA Floodplain, Protected Stream, Hydric Soils	Station #3, 1050 S. Happy Hollow Road. 2.5 miles from fire station with 5-minute drive time, 7.2-minute response time.
14	South Yard Park Land	No public water available	12-inch sanitary main at northern boundary	Protected Stream (Tanglewood Branch), Hydric Soils	Station #1, 303 W. Center Street. 0.7 miles from fire station with 3-minute drive time, 5.2-minute response time.
15	Yvonne Richardson Community Center	6-inch water main in S. Mill Avenue. 6-inch water main in S. Washington Avenue	8-inch sanitary sewer along main building. 8-inch sanitary sewer on E. Mountain Street, flowing into 8-inch sanitary sewer main present along S. Washington Avenue	FEMA Floodplain, Protected Stream (Spout Spring)	Station #1, 303 W. Center Street. 0.8 miles from fire station with 3-minute drive time, 5.2-minute response time.

**Police did not comment on the proposed rezonings. 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.*

Tree Preservation: The proposed zoning district of P-1, Institutional requires **25% minimum canopy preservation**. Percent minimum canopy requirements for all zoning districts are attached to this report for reference.

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 that the proposed zoning change is compatible with surrounding land uses. The properties are already being used as parks facilities, though with different classifications associated with them. The Parks Department uses 8 different classifications of parks: Regional Parks, Community Parks, Neighborhood Parks, Non-City Parks, Special Use, Natural Area, Undeveloped Parks, and Trail Corridors and Greenways. Each designation has a specific set of criteria, and staff finds those criteria can be met with a rezoning to the P-1 zoning district, especially with the consideration for the adoption of new standards to apply to that district.

The Regional Parks (Centennial, Lake Fayetteville, Lake Sequoyah, and Lake Wilson) are meant to have a regional draw and have direct access from arterial streets and access to regional trail systems. Zoning these locations as P-1 would allow for the continuation of the existing uses, such as lakes, trails, and the redevelopment of ball and playfields. The Neighborhood Parks under consideration (Bayyari Park, Clarence Craft Park, White River Park, Rodney Ryan Park, Yvonne Richardson Community Center) are typically 2 to 10 acres in size, and are meant to provide leisure opportunities (including play fields, and shaded areas for gathering) within walking distance of individual neighborhoods. The uses, setbacks, and allowances in P-1 would allow for the continuation of these neighborhood needs to be met, by allowing for Use Unit 4 by-right, where many of those neighborhood parks are currently zoned for residential uses. Many of the parks under consideration with this request are currently “Undeveloped,” including Combs Park, Lierly Land Park, Owl Creek Park, Quarry Trace Park Land, South Yard Park Land, and Hughmont Village Park Land. Undeveloped parks differ from “Natural Areas” in that they are not necessarily intended to remain undeveloped but have perhaps not yet been improved in accordance with long-term plans. Many of the parks in this classification have only been acquired within the last decade through parkland dedication with associated residential developments.

Land Use Plan Analysis: The proposed zoning to P-1, Institutional is compatible with the Future Land Use Map, which in most instances (though not all) identify the areas in question as Civic and Private Open Space. By rezoning to P-1, these parks can be redeveloped to help meet future goals and needs to meet the neighborhoods and immediate communities that they serve. If they are to stay in their existing zoning districts (such as RSF-1, NC, or I-1), the City would have a more difficult time implementing the 2023 Parks Master Plan, and would involve a more piecemeal approach to rezoning these properties. Staff finds that taking this broader approach saves City resources and time instead of rezoning at the time of a specific development proposal or funding opportunity.

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 recommended zoning is justified and needed to avoid issues in the future with any expansion of a non-conforming use, and to ensure that city-owned property is zoned accordingly. While this proposed zoning change may not identify all future changing needs of the Parks, Natural Resources, and Cultural Affairs Department, staff finds that zoning the property to the established zoning district for parks and associated cultural and recreational facilities to be an appropriate course of action and protects the public interest.

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

Finding: Rezoning the properties will not likely increase traffic danger or congestion in a manner that is inconsistent with the way the properties are already used. No redevelopment plans are currently underway, and the properties have already been acquired and used for parks and recreational purposes. With any proposed development, full impact on traffic and congestion would be evaluated at that time.

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: Rezoning the properties will not substantially increase the potential population density or load on public services. The proposed rezoning districts are substantially compatible with the existing development patterns and uses that currently exist on each property. The Police and Fire Departments have expressed no objections to the proposal. The Fayetteville School District also expressed no 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

PLANNING COMMISSION ACTION: Required <u>YES</u> Date: <u>March 11, 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:
 - §161.32 District P-1, Institutional
- Tree Preservation Requirements per Zoning District
- Applicant Request Letter
- Applicant Exhibit
- Zoning Map
- Future Land Use Map

161.32 District P-1, Institutional

- (A) *Purpose.* The Institutional District is designed to protect and facilitate use of property owned by larger public institutions and church related organizations.
- (B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
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 26	Multi-family dwellings
Unit 36	Wireless communications facilities
Unit 42	Clean technologies

- (C) *Density.* None.
- (D) *Bulk and Area Regulations.* None.
- (E) *Setback Regulations.*

Front	30 feet
Front, if parking is allowed between the right-of-way and the building	50 feet
Side	20 feet
Side, when contiguous to a residential district	25 feet
Rear	25 feet
Rear, from center line of public alley	10 feet

- (F) *Height Regulations.* There shall be no maximum height limits in P-1 Districts, provided, however, if a building exceeds the height of two (2) stories, the portion of the building that exceeds two (2) stories 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 two (2) stories shall be equal to the difference between the total height of that portion of the building, and two (2) stories.
- (G) *Building Area.* On any lot the area occupied by all buildings shall not exceed 60% of the total area of such lot. Accessory ground mounted solar energy systems shall not be considered buildings.

(Code 1965, App. A., Art. 5(XI); Ord. No. 2603, 2-19-80; Ord. No. 2621, 4-1-80; Ord. No. 1747, 6-29-70; Code 1991, §160.042; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 5073, 11-06-07; Ord. No. 5195, 11-6-08; Ord. No. 5312, 4-20-10; Ord. No. 5800, §1(Exh. A), 10-6-15; Ord. No. 5945, §§5, 7, 1-17-17; Ord. No. 6015, §1(Exh. A), 11-21-17; Ord. No. 6245, §2, 10-15-19; Ord. No. 6521, §8, 1-18-22)

Table 1 Minimum Canopy Requirements	
ZONING DESIGNATIONS	PERCENT MINIMUM CANOPY
R-A, Residential — Agricultural (nonagricultural uses)	25%
RSF-.5, Single-family Residential — One-Half Unit per Acre	25%
RSF-1, Single-family Residential — One Unit per Acre	25%
RSF-2, Single-family Residential — Two Units per Acre	20%
RSF-4, Single-family Residential — Four Units per Acre	25%
RSF-7, Single-family Residential — Seven Units per Acre	20%
RSF-8, Single-family Residential — Eight Units per Acre	20%
RSF-18, Single-family Residential — Eighteen Units per Acre	20%
R-O, Residential — Office	20%
RI-12, Residential Intermediate — Twelve Units Per Acre	20%
RI-U, Residential Intermediate — Urban	15%
RMF-6, Multi-family Residential — Six Units per Acre	20%
RMF-12, Multi-family Residential — Twelve Units per Acre	20%
RMF-18, Multi-family Residential — Eighteen Units per Acre	20%
RMF-24, Multi-family Residential — Twenty-Four Units per Acre	20%
RMF-40, Multi-family Residential — Forty Units per Acre	20%
NS-L, Neighborhood Services — Limited	20%
NS-G, Neighborhood Services — General	20%
C-1, Neighborhood Commercial	20%
CS, Community Services	20%
C-2, Thoroughfare Commercial	15%

Table 1 Minimum Canopy Requirements	
ZONING DESIGNATIONS	PERCENT MINIMUM CANOPY
UT, Urban Thoroughfare	15%
C-3, Central Business Commercial	15%
DC, Downtown Core	10%
MSC, Main Street Center	10%
DG, Downtown General	10%
NC, Neighborhood Conservation	20%
I-1, Heavy Commercial and Light Industrial	15%
I-2, General Industrial	15%
P-1, Institutional	25%
PZD, Planned Zoning District (HHOD)	25% (30%)



CITY OF
FAYETTEVILLE
ARKANSAS

January 30, 2024

City of Fayetteville Planning Department
City of Fayetteville Planning Commission
125 West Mountain Street
Fayetteville, Arkansas 72701

RE: Letter of Intent for Park Property Rezoning

Property Information: Various, see attached

Current Owner: City of Fayetteville
113 W Mountain St, Fayetteville, Arkansas 72701

Applicant: City of Fayetteville
113 W Mountain St, Fayetteville, Arkansas 72701

This letter serves as a request for rezoning 15 park properties to P-1 Institutional zoning.

Legal Description:

Various, see attached.

Property Description:

Fayetteville Parks, Natural Resources and Cultural Affairs owns over 50 parks and park lands. The majority of these properties are zoned P-1 as a result of a large rezoning effort in the mid-2000's. Several properties have been acquired since then and are in need of rezoning.

The properties listed on the enclosed attachment "A" are proposed to be rezoned from various zonings to Institutional Use (P-1). Per City Code, the Institutional District is designed to protect and facilitate use of property owned by larger public institutions and church related organizations. This zoning allows cultural and recreational facilities as permitted uses. Additionally, the zoning allows for signage and uses not allowed in many of the existing zonings such as active park facilities including courts, ballfields, etc.

Enclosed please find Attachments "A" and "B". Attachment "A" illustrates the locations of the proposed park properties for this rezoning request. There are 15 park properties included in this request. Attachment "B" lists the park properties along with the current zoning(s) and address(es).

No adverse affect on adjoining properties is anticipated as all of the properties are existing parks with the exception of Hughmont Park Land, Owl Creek Park Land, Lierly Lane Park Land Quarry Trace Park Land and South Yard Park Land, which were all dedicated to become future parks and simply have not been developed yet.

Days and Hours of Operation:

Parks are generally open from daylight until dusk. Lakes are the exception and are open from daylight until dusk.

Parking:

Parking is existing in the parks or will be properly designed when land is developed as a park.

Outdoor Lighting:

Lighting varies throughout the park system depending on use.

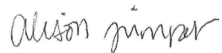
Noise:

Noise from the facility is not expected to change and is typical of park activities. As new parks come online such as the Upper Ramble, additional events are anticipated to generate noise.

Trash and refuse service:

Trash is managed by the Parks Maintenance in the Public Works Department.

Sincerely,



City of Fayetteville

Alison Jumper

Parks, Natural Resources and Cultural Affairs Director

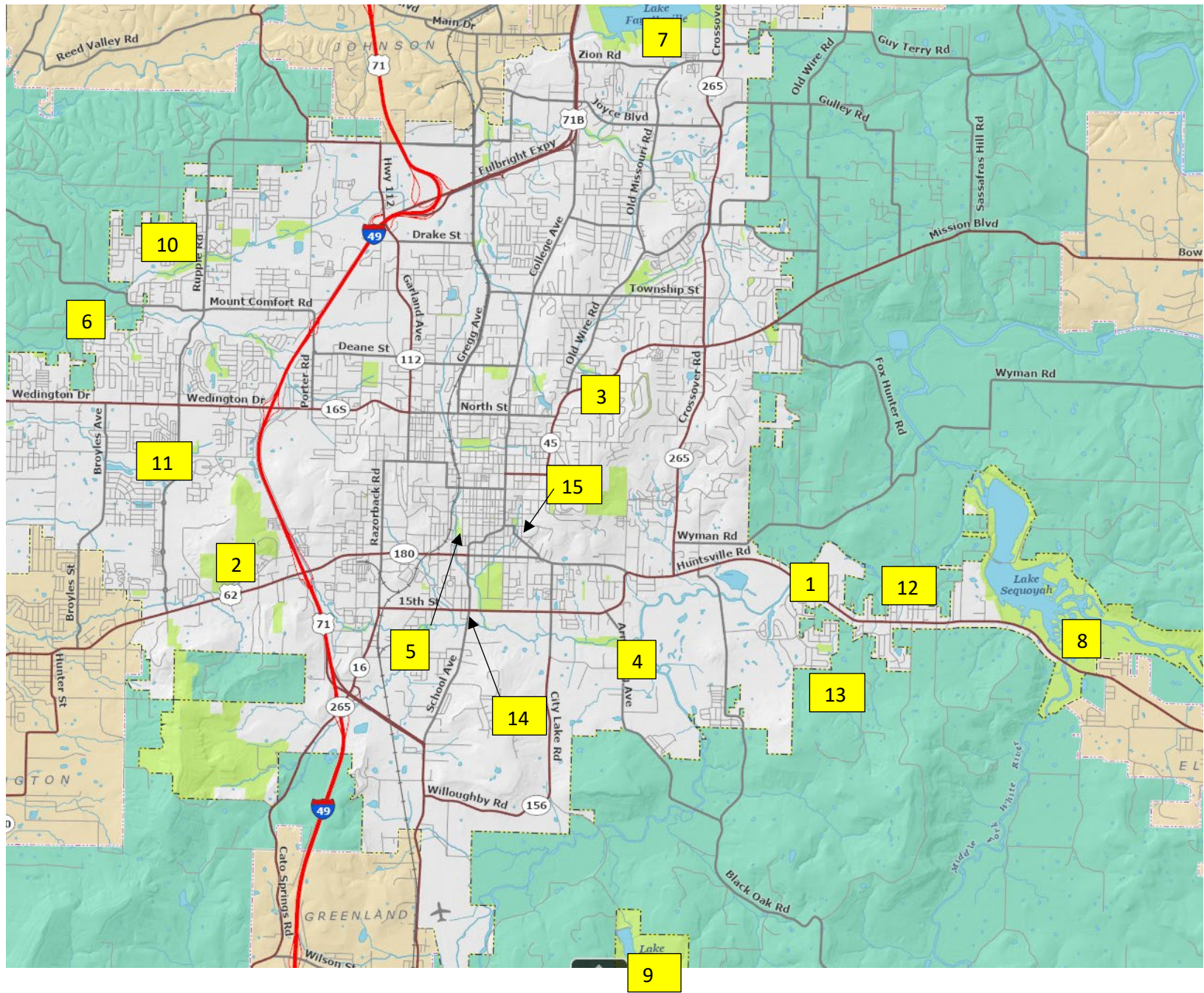
Attachment A

Park Properties to be rezoned:

Portions of:

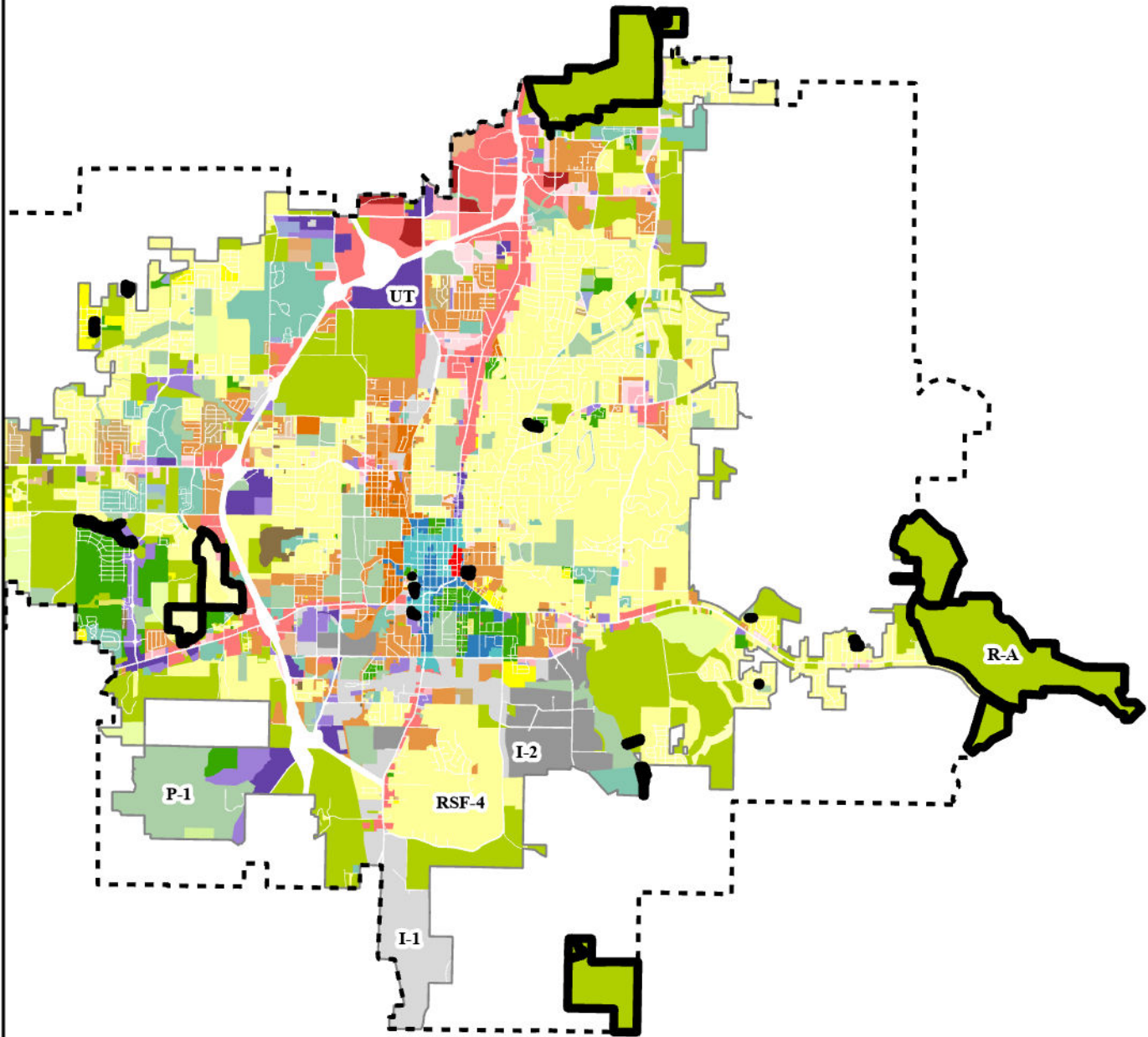
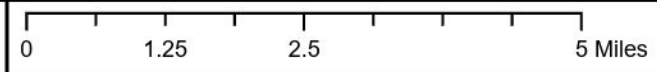
1. Bayyari Park
2. Centennial Park
3. Clarence Craft Park
4. Combs/White River Park
5. Fay Jones Woods
6. Hughmount Village Park Land
7. Lake Fayetteville
8. Lake Sequoyah
9. Lake Wilson
10. Lierly Lane park land
11. Owl Creek park land
12. Quarry Trace park land
13. Rodney Ryan Park
14. South Yard park land
15. Yvonne Richardson Community Center

Attachment B



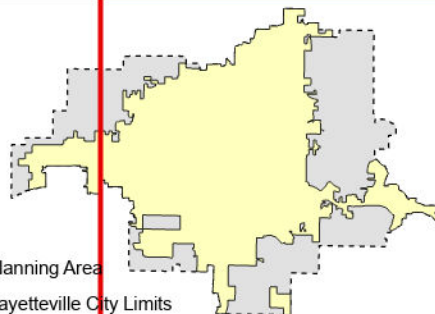
Various City Parks

One Mile View



Fayetteville City Limits
 Planning Area

Planning Area
 Fayetteville City Limits

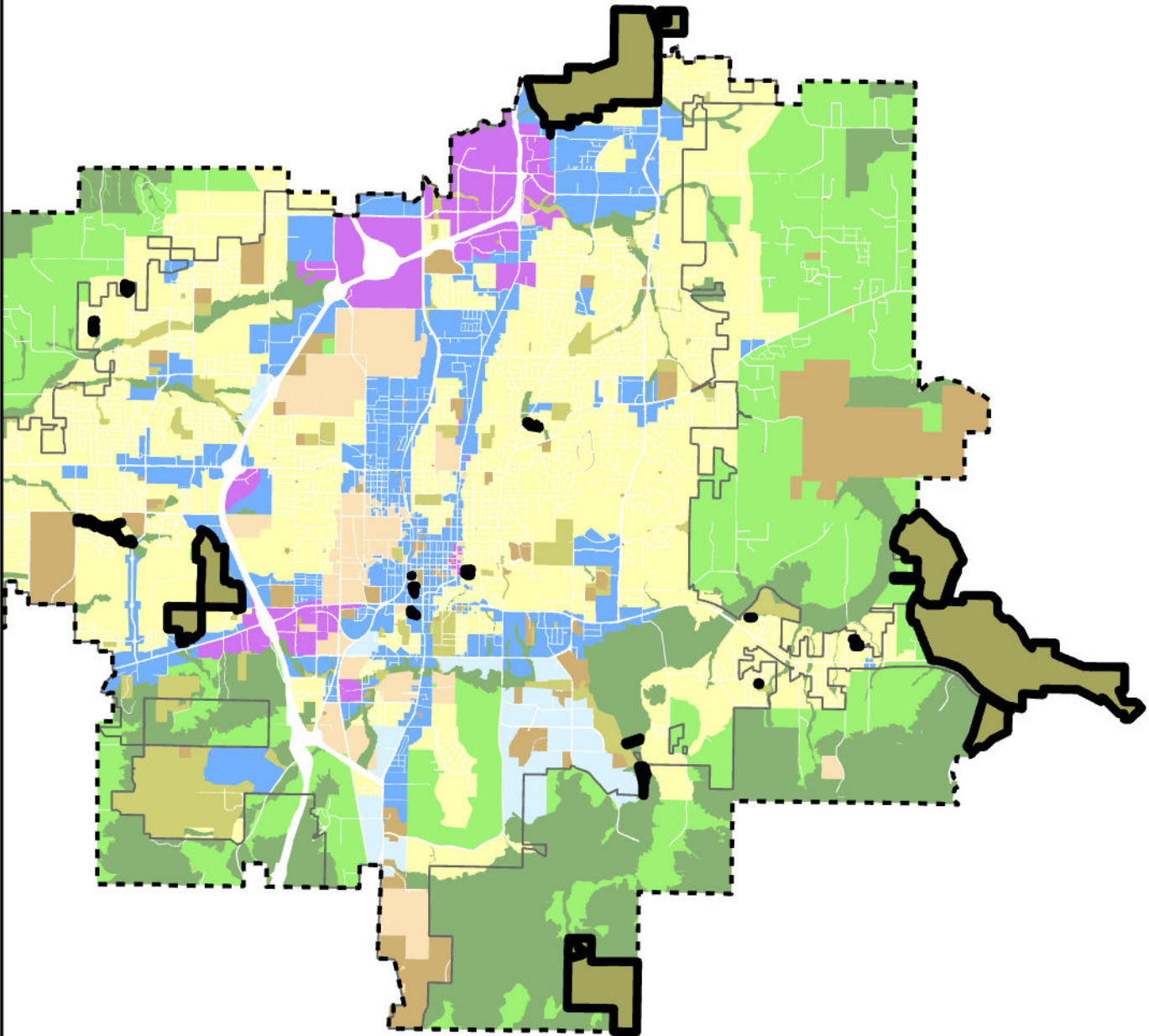


- Zoning**
- RESIDENTIAL SINGLE-FAMILY**
 - NS-G
 - RH-U
 - RH-2
 - NS-L
 - Residential-Agricultural
 - RSP-5
 - RSP-1
 - RSP-2
 - RSP-4
 - RSP-7
 - RSP-8
 - RSP-18
 - RESIDENTIAL MULTI-FAMILY**
 - RMP-6
 - RMP-12
 - RMP-18
 - RMP-24
 - RMP-40
 - INDUSTRIAL**
 - I-1 Heavy Commercial and Light Industrial
 - 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

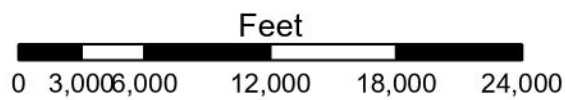
Various City Parks



Future Land Use



- Planning Area
- Fayetteville City Limits



1:109,845

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