

RECEIVED

NOV 01 2011

CITY OF FAYETTEVILLE
CITY CLERK'S OFFICE

October 31, 2011

City Council
Fayetteville Arkansas
113 W Mountain Street
Fayetteville, Arkansas 72701

Dear City Council Members,

Re-zoning request RZN 11-3960: Rezone (1730 N Old Wire Road/Williams & Cooper, 369) appeared before the Fayetteville Planning Commission on Monday, October 24, 2011. The Planning Commission voted 4-3 to approve this re-zone, but five or more votes are required for the re-zone to be automatically forwarded to the City Council for approval.

The intention of this letter is to formally appeal the request to rezone the 8.6 acres located at 1730 N Old Wire Road from its current RSF-4 zoning to Neighborhood Conservation with a bill of assurance that prohibits attached and multi-family dwellings and limits the number of single family homes to no more than 50.

This rezoné request was submitted following an extensive review of the City Plan 2025, Future Land Use Plan, Master Street Plan and Zoning maps. This rezone was presented to the Fayetteville Planning Commission with the City Planning Staff's support and recommendation for approval. Your thorough consideration of this request would be appreciated as it is believed that this rezone meets all of the guidelines set forth for land development under the plans referenced above.

Please contact Jackson Williams 479.841.3639 or Tim Cooper 479.2336.6629 with any questions you may have regarding this rezone.

Sincerely,



Jackson Williams

From: Jeremy Pate
To: Branson, Lisa
CC: Garner, Andrew; JACKSON.WILLIAMS@SBCGLOBAL.NET
Date: 11/1/2011 3:46 PM
Subject: Re: Appeal RZN 11-3960 Old Wire Rd. Williams & Cooper

Lisa,
Andrew will prepare the necessary background information for this appeal and submit it to your office by the next request deadline. That places this item on the December 06 City Council meeting.

thanks,
Jeremy

Jeremy C. Pate
Development Services Director
City of Fayetteville, Arkansas

>>> Lisa Branson 11/1/2011 1:59 PM >>>
Jeremy,

Attached is an appeal letter regarding Rezoning request RZN 11-3960: (1730 N Old Wire Road/Williams & Cooper). Will you please let me know if you will be providing back up information regarding the appeal and what City Council agenda date this will be on?

Thanks,
Lisa

Lisa Branson
Deputy City Clerk

City of Fayetteville
113 W Mountain
Fayetteville, AR 72701
(479) 575-8323
lbranson@ci.fayetteville.ar.us

TDD (Telecommunications Device for the Deaf): (479) 521-1316

CITY COUNCIL AGENDA MEMO

To: Mayor Jordan, City Council
Thru: Don Marr, Chief of Staff
Jeremy Pate, Development Services Director
From: Andrew Garner, Senior Planner
Date: October 25, 2011
Subject: RZN 11-3960 (1730 N. Old Wire Road)

RECOMMENDATION

On October 24, 2011 The Planning Commission voted 4-3-0 to forward the subject item to the City Council with a recommendation for approval (Commissioners Hoskins, Griffin, and Honchell voted "no", Commissioners Earnest and Bunch were absent). This rezoning request failed to receive five (5) positive votes necessary to be forwarded to City Council. The applicant has appealed the Planning Commission's decision to the City Council. Staff recommends approval of an ordinance to rezone the subject property from RSF-4, Residential Single-Family, 4 dwelling units per acre, to NC, Neighborhood Conservation, subject to a Bill of Assurance that would limit the total number of dwellings to 50 and restrict the use to single family detached dwellings.

BACKGROUND

The property is zoned Residential Single-Family Four Units Per Acre (RSF-4), and contains 8.6 acres located at 1730 Old Wire Road. The site contains a single family home and pasture with access to the home off of a long driveway to Old Wire Road. The site is surrounded by three existing neighborhoods and undeveloped property including the Regency Estates Neighborhood to the north, Spring Creek North Addition to the east, Ramsey Addition to the south, and undeveloped single family out-lots on Old Wire Road to the west. Access to this property is available from Old Wire Road, Samantha Avenue to the north, Charlee Avenue to the east, and Ramsey Avenue to the south. The western portion of the property adjacent to Old Wire Road is located within the floodplain of Niokaska Creek.

The request is to rezone the property from RSF- 4, Residential Single Family Four Units per Acre, to NC, Neighborhood Conservation. The applicant has offered a Bill of Assurance that would not permit duplexes or multi-family residences and a limit of 50 single family lots, a gross density of 5.8 units per acre. The applicant has stated that the intent is to develop the property for smaller single family lots than permitted by the underlying RSF-4 zoning district and in a traditional pattern.

DISCUSSION

Fourteen members of the public spoke at the October 24, 2011 Planning Commission meeting with comments centered around traffic congestion, pedestrian and vehicular safety, home values, and local flooding problems. The unofficial draft meeting minutes are included in this staff report.

BUDGET IMPACT

None.

ORDINANCE NO.

AN ORDINANCE REZONING THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 11-3960, FOR APPROXIMATELY 8.60 ACRES, LOCATED AT 1730 NORTH OLD WIRE ROAD FROM RSF-4, RESIDENTIAL SINGLE-FAMILY, 4 UNITS PER ACRE TO NC, NEIGHBORHOOD CONSERVATION, SUBECT TO A BILL OF ASSURANCE.

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 following described property from RSF-4, Residential Single-Family, 4 units per acre, to NC, Neighborhood Conservation, as shown on Exhibits "A" and "B" attached hereto and made a part hereof.

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.

Section 3: That this property is subject to a Bill of Assurance offered by the property owner and runs with the land, which limits the use of the property to exclude duplexes and multi-family dwellings and the number of single family lots to 50 as shown in Exhibit "C" attached hereto and made a part thereof.

PASSED and APPROVED this day of , 2011.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

EXHIBIT "A"

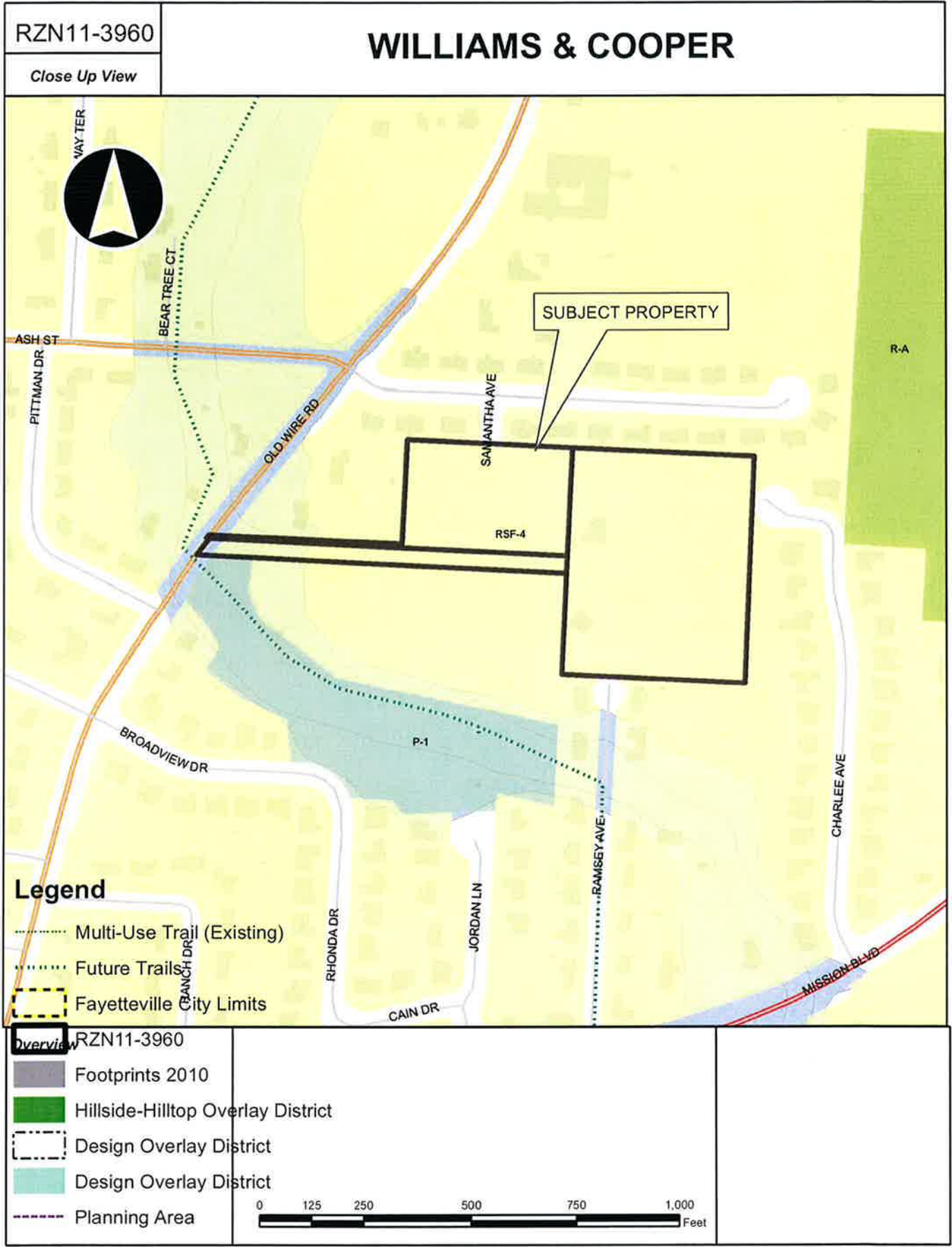


EXHIBIT "B"
RZN 11-3960
Page 1 of 2

LEGAL DESCRIPTION: **PARCEL: 765-13432-000**

PART OF THE SOUTHEAST (SE1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION 3, IN TOWNSHIP 16 NORTH OF RANGE 30 WEST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; TO-WIT; BEGINNING AT A POINT 660 FEET WEST OF THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT, AND RUNNING WITH A FENCE EAST 443.4 FEET; THENCE NORTH 0°10' WEST 542 FEET TO A FENCE; THENCE WITH FENCE WEST 439.4 FEET; THENCE SOUTH 0°10' WEST 542 FEET TO THE POINT OF BEGINNING. ALSO, A PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION 3, TOWNSHIP 16 NORTH, RANGE 30 WEST, DESCRIBED AS A STRIP OF LAND 41.5 FEET WIDE NORTH AND SOUTH, FURTHER DESCRIBED AS BEGINNING AT A POINT 660.4 FEET WEST AND 242 FEET NORTH OF THE SOUTHEAST CORNER OF SAID 80 ACRE TRACT; THENCE NORTH 41.5 FEET; THENCE WEST 851.6 FEET TO CENTER LINE OF OLD WIRE ROAD; THENCE SOUTHWESTERLY WITH CENTERLINE OF SAID ROAD TO A POINT DUE WEST OF THE POINT OF BEGINNING; THENCE EAST TO THE POINT OF BEGINNING. AND A PART OF THE SOUTH HALF (S1/2) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION THREE (3) TOWNSHIP SIXTEEN (16) NORTH, RANGE THIRTY (30) WEST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT 660 FEET WEST AND 283.5 FEET NORTH OF THE SOUTHEAST CORNER OF SAID 80 ACRE TRACT, AND THENCE NORTH 260 FEET; THENCE WEST 663.6 FEET, MORE OR LESS TO THE CENTER LINE OF OLD WIRE ROAD THENCE SOUTHWESTERLY WITH THE CENTER LINE OF SAID OLD WIRE ROAD 328 FEET, MORE OR LESS, TO A POINT DUE WEST OF THE BEGINNING POINT; THENCE EAST 853 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, CONTAINING FOUR AND FIVE-TENTHS (4.5) ACRES, MORE OR LESS. LESS AND EXCEPT PART OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHEAST QUARTER (SE1/4) AND PART OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION THREE (3), TOWNSHIP SIXTEEN (16) NORTH, RANGE THIRTY (30) WEST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT; FROM THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION THREE (3) TOWNSHIP SIXTEEN (16) NORTH, RANGE THIRTY (30) WEST, PROCEED WEST, 1049.00 FEET, THENCE NORTH 00 DEGREES 10 MINUTES 00 SECONDS EAST 292 FEET, TO THE POINT OF BEGINNING, THENCE WEST 456.09 FEET TO A POINT IN THE CENTERLINE OF OLD WIRE ROAD, THENCE ALONG SAID CENTERLINE NORTH 36 DEGREES 03 MINUTES 15 SECONDS EAST 154.62 FEET, THENCE DEPARTING SAID CENTERLINE EAST 365.46 FEET, THENCE SOUTH 00 DEGREES 10 MINUTES 00 SECONDS WEST 125.00 FEET, TO THE POINT OF BEGINNING, AND CONTAINING 1.179 ACRES, MORE OR LESS, ALL IN WASHINGTON COUNTY, ARKANSAS AND SUBJECT TO A ROAD EASEMENT ALONG THE WEST SIDE AND AN EASEMENT FOR A GAS LINE AS SHOWN. AND, LESS AND EXCEPT PART OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHEAST QUARTER (SE1/4) AND PART OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION THREE (3), TOWNSHIP 16 NORTH RANGE 30 WEST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT; FROM THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION 3, TOWNSHIP 16 NORTH, RANGE 30 WEST, PROCEED WEST, 1,049.00 FEET,

EXHIBIT "B"
RZN 11-3960
Page 2 of 2

THENCE NORTH 00 DEGREES 10 MINUTES 00 SECONDS EAST 417 FEET, TO THE POINT OF BEGINNING, THENCE WEST 365.46 FEET CO A POINT IN THE CENTERLINE OF OLD WIRE ROAD, THENCE ALONG SAID CENTERLINE NORTH 36 DEGREES 03 MINUTES 15 SECONDS EAST 154.62 FEET, THENCE DEPARTING SAID CENTERLINE EAST 274.82 FEET, THENCE SOUTH 00 DEGREES 10 MINUTES 00 SECONDS WEST 125.00 FEET TO THE POINT OF BEGINNING, AND CONTAINING 0.918 ACRES, MORE OR LESS ALL IN WASHINGTON COUNTY, ARKANSAS AND SUBJECT TO A ROAD EASEMENT ALONG THE WEST SIDE AND AN EASEMENT FOR A GAS LINE AS SHOWN.

**BILL OF ASSURANCE
FOR THE CITY OF FAYETTEVILLE, ARKANSAS**

In order to attempt to obtain approval of a request for a zoning reclassification, the owner, developer, or buyer of this property, (hereinafter "Petitioner") W-Bar Investments, LLC, hereby voluntarily offers this Bill of Assurance and enters into this binding agreement and contract with the City of Fayetteville, Arkansas.

The Petitioner expressly grants to the City of Fayetteville the right to enforce any and all of the terms of this Bill of Assurance in the Circuit Court of Washington County and agrees that if Petitioner or Petitioner's heirs, assigns, or successors violate any term of this Bill of Assurance, **substantial irreparable damage justifying injunctive relief** has been done to the citizens and City of Fayetteville, Arkansas. The Petitioner acknowledges that the Fayetteville Planning Commission and the Fayetteville City Council will **reasonable rely** upon all of the terms and conditions within this Bill of Assurance in considering whether to approve Petitioner's rezoning request.

Petitioner hereby voluntarily offers assurances that Petitioner and Petitioner's property shall be restricted as follows **IF** Petitioner's rezoning is approved by the Fayetteville City Council.

1. The use of Petitioner's property shall be limited to Single Family Detached units. Multi Family and or Duplex units will not be allowed.
2. Other restrictions including number and type of structures upon the property are limited to a maximum of 50 single family lots with no more than two stories.
3. Specific activities will not be allowed upon petitioner's property include the development and or construction of Multi Family and or Duplexes.
4. (Any other terms or conditions) None.
5. Petitioner specifically agrees that all such restrictions and terms shall **run with the land** and bind all future owners unless and until specifically released by Resolution of the Fayetteville City Council. This Bill of Assurance shall be filed for record in the Washington County Circuit Clerk's Office after Petitioner's rezoning is effective and shall be noted on any Final Plat or Large Scale Development which includes some or all of Petitioner's property.

EXHIBIT "C"
Page 2 of 2

IN WITNESS WHEREOF and in agreement with all the terms and conditions stated above, I, Jackson Williams, as the owner, developer or buyer (Petitioner) **voluntarily offer** all such assurances and sign my name below.

10-12-11
Date

Jackson Williams
Printed Name

P.O. Box 366
Address
Fayetteville, AR
72702

[Handwritten Signature]
Signature

NOTARY OATH

STATE OF ARKANSAS
COUNTY OF ~~WASHINGTON~~ Benton

.ss

And now on this the 12th day of October, 2011, appeared before me, Jackson Williams, a Notary Public, and after being placed upon his/her oath swore or affirmed that he/she agreed with the terms of the above Bill of Assurance and signed his/her name above.

[Handwritten Signature: Stephanie R. Hyde]
NOTARY PUBLIC

My Commission Expires:
10-31-2013





PC Meeting of October 24, 2011

THE CITY OF FAYETTEVILLE, ARKANSAS

125 W. Mountain St.
Fayetteville, AR 72701
Telephone: (479) 575-8267

PLANNING DIVISION CORRESPONDENCE

TO: Fayetteville Planning Commission
FROM: Andrew Garner, Senior Planner
THRU: Jeremy Pate, Development Services Director
DATE: ~~October 17, 2011~~ *Updated October 25, 2011*

RZN 11-3960: Rezone (1730 N. OLD WIRE ROAD/WILLIAMS & COOPER, 369): Submitted by JACKSON WILLIAMS AND TIM COOPER for property located at 1730 N. OLD WIRE ROAD. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY FOUR UNITS PER ACRE and contains approximately 8.6 acres. The request is to rezone the property to NC, Neighborhood Conservation, subject to a Bill of Assurance. Planner: Andrew Garner

BACKGROUND:

Property Description: The property is zoned Residential Single-Family Four Units Per Acre (RSF-4), and contains 8.6 acres located at 1730 Old Wire. The site contains a single family home and pasture with access to the home off of a long driveway to Old Wire Road. The site is surrounded by three existing neighborhoods and undeveloped property as indicated in *Table 1*. Access to this property is available from Old Wire Road, Samantha Avenue to the north, Charlee Avenue to the east, and Ramsey Avenue to the south. The western portion of the property adjacent to Old Wire Road is located within the floodplain of Niokaska Creek.

**Table 1
Surrounding Zoning and Land Use**

Direction from Site	Land Use	Zoning
North	Single family residential on Ash Street (Regency Estates)	RSF-4, Residential Single-Family Four Units Per Acre
South	Single family and two-family residential on Ramsey Street (Ramsey Addition)	RSF-4, Residential Single-Family Four Units Per Acre
East	Single family residential on Charlee Avenue (Spring Creek North Addition)	RSF-4, Residential Single-Family Four Units Per Acre
West	Single family residential and undeveloped out-lots on Old Wire Road	RSF-4, Residential Single-Family Four Units Per Acre

Proposal: The request is to rezone the property from RSF- 4, Residential Single Family Four Units per Acre, to NC, Neighborhood Conservation. The applicant has offered a Bill of Assurance that

would not permit duplexes or multi-family residences and a limit of 50 single family lots, a gross density of 5.8 units per acre. The applicant has stated that the intent is to develop the property for smaller single family lots than permitted by the underlying RSF-4 zoning district and in a traditional pattern.

Public Comment: Staff has received calls and in-person inquiries about the rezoning. The main comments have been regarding local flooding issues associated with Niokaska Creek and access to the surrounding neighborhoods.

RECOMMENDATION:

Staff recommends forwarding RZN 11-3960 to the City Council with a recommendation for approval based on findings stated herein.

PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>October 24, 2011</u>	<input type="checkbox"/> Tabled	<input type="checkbox"/> Forwarded	<input checked="" type="checkbox"/> Denied
Motion: <u>Chesser</u> Second: <u>Winston</u>			
Vote: <u>4-3-0 (Commissioner Honchell, Hoskins, Griffin voted 'no')</u>			
Note: <u>Motion to forward failed due to lack of five positive votes.</u>			
CITY COUNCIL ACTION:			
	<input type="checkbox"/> Required	<input checked="" type="checkbox"/> YES	
	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	
Date:			

INFRASTRUCTURE:

Streets: The site has access to Samantha Avenue, Charlee Avenue, Ramsey Avenue, and Old Wire Road. Samantha Avenue, Ramsey Avenue, and Charlee Avenue are improved two lane residential city streets. Old Wire Road is a two lane city street with no sidewalks and with open ditches in this location. Street improvements will be evaluated at the time of development. Connections to all street stub-outs will be required at the time of development in accordance with the City's Access Management ordinance.

Water: Public water is available to the property. There is an 8" water main stubbed out to the property from Charlee Avenue and a 6" main stubbed out along Samantha Avenue. Public water main improvements will need to be extended through the property to provide domestic and fire flow for any proposed development.

Sewer: Sanitary sewer is available to the site. There is a 12” public main running through the middle of this property. Public mains may need to be extended within the property to serve any proposed development. The capacity of the existing mains may need to be evaluated with any proposed development.

Drainage: Standard improvements and requirements for drainage will be required for any development. The design engineer will be responsible for addressing any drainage issues at this location with the development design. An increase in peak flow will not be allowed with any development of this property. This property is affected by the 100-year floodplain and the Streamside Protection Zones associated with Niokaska Creek.

Police: The Fayetteville Police Department has not expressed concerns with this request.

Fire: The Fayetteville Fire Department has not expressed concerns with this request.

CITY PLAN 2030 FUTURE LAND USE PLAN: *City Plan 2025 Future Land Use Plan designates a majority of this site as **Residential Neighborhood Area** and a small portion of the site associated with the Niokaska Creek floodplain as **Natural Area**.*

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: **Staff finds the proposal is highly consistent with the land use planning objectives, principles and policies, as evidenced by the number of guiding policies for Residential Areas this proposal meets including Residential Area Policy F to:**

“Site new residential areas accessible to roadway, alternative transportation modes, community amenities, schools, infrastructure, and retail and commercial goods and services.”

This site is surrounded by existing roads with three street stub-outs to the site. The site is in the core of the City and within walking distance of an elementary school, a church, and close proximity to downtown.

The proposed rezoning is also highly consistent with the six major goals of City Plan 2030 as follows:

City Plan 2030 Goals	RZN 11-3960 Compliance With City Plan 2030
Goal 1: We will make appropriate infill and revitalization our highest priorities.	This proposed rezoning would allow infill in a well-developed area of Fayetteville. The property is surrounded by existing development and infrastructure within walking distance of an elementary school. Future development of this site permitted under the proposed zoning district would provide the opportunity for improvements and revitalization to existing infrastructure. The proposal would allow 'appropriate' single-family infill compatible with the surrounding primarily single-family neighborhoods.
Goal 2: We will discourage suburban sprawl.	By permitting infill development at a slightly higher density than the existing zoning, the proposed rezoning discourages suburban sprawl on the perimeter of the City. Future development allowed because of this rezoning would be able to take advantage of proximity to existing utility and public infrastructure and services more than a sprawling development on the periphery.
Goal 3: We will make traditional town form the standard.	The NC zoning district is a form-based district with a build-to zone that would require development in a traditional town form.
Goal 4: We will grow a livable transportation network.	Development of this site allowed under the proposed zoning will provide an opportunity to provide vehicular and pedestrian connection between three isolated neighborhoods. The requirements under the City's development codes for street connections would improve connectivity in this area of the City, providing more options to residents and those traveling through the area.
Goal 5: We will assemble an enduring green network.	Preservation of greenspace would be reviewed and required during development.
Goal 6: We will create opportunities for attainable housing.	The variety of lot sizes allowed because of the rezoning could lead to a mixed-income neighborhood in this area of the City. Consistent with the intent of this goal, the proposed rezoning is not an isolated attainable housing project all under one zoning district, but rather reflects the opportunity to create a more traditional urban neighborhood with households of varying types, sizes, and economic means.

Rezoning the property will accommodate both the future land use plan for residential uses, and also allow for a variety of uses and housing types, sizes and development pattern, thus providing more choices for more citizens. The proposed zoning for single family residences is also compatible with the existing land uses and zoning in the immediate area. Adjacent developments include residential subdivisions zoned RSF-4 (maximum four units per acre) to the north, east, and south, and undeveloped and large lot single family residences to the west. The NC zoning will allow for smaller single family homes introducing variety of residential housing types in this infill location within walking distance of Root Elementary School. Most of the adjacent lots to the north and east are low density single family residential, with the exception of a few duplexes along

Ramsey Avenue to the south. The Charleston Place neighborhood is approximately 1,000 feet to the northeast of this site and is developed in a traditional pattern with similar lot sizes as would be allowed in the proposed NC zoning. The NC zoning is a form-based zoning that requires a traditional design and the opportunity for narrow lots and houses closer to the street, consistent with land use planning policies, and common in other developed areas of the City.

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

Finding: As discussed in Finding No. 1, the proposed zoning is justified as it is compatible with the surrounding zoning and land uses and consistent with the City's Future Land Use Plan. The property could be developed under the existing zoning regulations, however the NC zoning is justified in order to provide variety in lot sizes and to meet market demand for smaller lots.

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

Finding: The proposed zoning will generate the potential for additional traffic on the surrounding street system over the existing RSF-4 zoning. As stated in the Bill of Assurance, this rezoning would yield a total of 50 single family lots (a density of 5.8 units per acre), subject to preliminary plat approval. The street improvements required as part of the development should be adequate to account for these additional vehicle trips, but would be evaluated at the time of preliminary plat. Street connections to all adjacent street stub-outs would be recommended in compliance with the City's Access Management ordinance. This street connectivity should improve overall traffic flow and pedestrian connectivity in this area.

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 zoning would potentially increase population density. The proposed zoning would allow for a total of 16 additional single family lots on this property over the existing zoning. However, this increase in single-family residences is consistent with land use, zoning, and development patterns in the immediate vicinity, as well as the current underlying zoning district. This site is located within the core of the City with adequate surrounding infrastructure.

Increased load on public services was taken into consideration and recommendations from Engineering, Fire, and Police Departments are included in this report. Significant adverse impacts to public services would not result with the incorporation of standard improvements as part of the development.

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

161.07 District RSF-4, Residential Single-Family – Four 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 12	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities

(C) *Density.*

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

(D) *Bulk and area regulations.*

	Single-family dwellings	Two-family dwellings
Lot minimum width	70 ft.	80 ft.
Lot area minimum	8,000 sq. ft.	12,000 sq.-ft.
Land area per dwelling unit	8,000 sq. ft.	6,000 sq. ft.
Hillside Overlay District Lot minimum width	60 ft.	70 ft.
Hillside Overlay District Lot area minimum	8,000 sq. ft.	12,000 sq.-ft.
Land area per dwelling unit	8,000 sq. ft.	6,000 sq. ft.

(E) *Setback requirements.*

Front	Side	Rear
15 ft.	5 ft.	15 ft.

(F) *Building height regulations.*

Building Height Maximum	45 ft.
-------------------------	--------

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, (ord. # 4858).

(G) *Building area.* On any lot the area occupied by all buildings shall not exceed 40% of the total area of such lot. (Code 1991, §160.031; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. 4858, 4-18-06; Ord. 5028, 6-19-07; Ord. 5128, 4-15-08; Ord. 5224, 3-3-09; Ord. 5312, 4-20-10)

161.26 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 9	Two-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 10	Three-family dwellings
Unit 12	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

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

(D) *Bulk and area regulations.*

(1) *Lot width minimum.*

Single Family	40 ft.
Two Family	80 ft.
Three Family	90 ft.

(2) *Lot area minimum.* 4,000 Sq. Ft.

(E) *Setback regulations.*

Front	The principal façade of a building shall be built within a build-to zone that is located between the front property line and a line 25 ft. from the front property line.
Side	5 ft.
Rear	5 ft.
Rear, from center line of an alley	12 ft.

(F) *Minimum buildable street frontage.* 40% of lot width.

(G) *Height regulations.* Maximum height is 3 stories or 45 feet which ever is less.

(Ord. 5128, 4-15-08; Ord. 5312, 4-20-10)

RZN 11-3960: Rezone (1730 N. OLD WIRE ROAD/WILLIAMS & COOPER, 369): Submitted by JACKSON WILLIAMS AND TIM COOPER for property located at 1730 N. OLD WIRE ROAD. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY FOUR UNITS PER ACRE and contains approximately 8.6 acres. The request is to rezone the property to NC, Neighborhood Conservation, subject to a Bill of Assurance.

Andrew Garner, Senior Planner, gave the staff report.

Tim Cooper, applicant, discussed the proposed rezoning.

Public Comment:

Harry Jackson, property owner to the south and west, discussed that his concern is having access to his property after this subdivision is built. He does not want to be landlocked.

Kevin Sanchez, 1273 East Ash Street, read an email that he sent to the Planning Commission objecting to the rezoning for a number of reasons.

Aubrey Shepherd, discussed that this site is the beginning of the prairie. He discussed that flooding will get worse with this rezoning. We need to protect the watershed.

Sallie Kelley, lives on Ash Street, moved there in 1994. She discussed that it took two years to work to resolve a drainage problem on her property. She stated concerns with making the drainage problems worse.

Jonice Adams, 1630 Charlee Avenue, opposed to the rezoning because of the higher density will not fit in with the neighborhood. She discussed that there is a huge amount of traffic on Mission in the morning. It is very difficult to get out of Charlee onto Mission. She discussed concerns with Charlee being connected. There is angle and site distance issues with the intersection of Charlee and Mission.

Ann Ratcliff, 1750 Charlee Avenue, opposes the rezoning request because of flooding issues and safety issues. On Charlee there are children before and after school. There are families that walk their kids up and down the street. I cannot imagine a worse safety issue. I ask you to retain the cul-de-sac on Charlee. The proposed homes would not be the same size as surrounding homes. We do not have sidewalks to accommodate pedestrian traffic.

Laura Lindsey, lives on Charlee Avenue, I oppose this because we have children. There are 15-20 people that park on Charlee every morning and walk kids. You are going to take out someone, there is going to be a death and I don't want it to be my children. The safety issues are bad, we bought because this was a cul-de-sac and you are going to make it a cut-through. There are so many things wrong with this. We have so many cars parking on this street already. You would not want this on our street so why put it on ours. You are going to change the whole continuity of our neighborhood. You can't put that many cars on our street. She described the pedestrian crossing guards. You are talking an additional 500-1000 cars per day on our street. We bought in this neighborhood because it was a quiet safe street. You don't want this in your backyard so don't put it in our front yard.

Tom Sawyer, lives on Ramsey Avenue. He described previous rezonings that were approved including Summit Place and Ruskin Heights that will put more homes on Mission. Root and Vandergriff Elementary are at capacity. This should go through the school boards. I don't want people cutting through on Ramsey. We bought or rent on Ramsey for a reason because it is a quiet dead-end street near Root. We don't want traffic cutting through. We get people parking on our street and running across Mission Boulevard not at the cross walk. Was Ramsey ever

designed as a cut-through?

Garner discussed that Ramsey Avenue was designed as a through street and the right-of-way stubs out all the way to the property line. He also discussed that Samantha Street and Charlee Avenue stub-outs also were intended to be through streets as well. He discussed that the location of street stub-outs and through streets is not something that is determined with a rezoning request.

Cabe stated that we are only considering land use. We are not considering street connections. We are strictly looking at whether this property should be rezoned. We are just looking at land use. Development is not part of this proposal.

Jana Berton, 1702 Charlee, lived there since 1992. I have several concerns including children that live and play on Charlee. We bought on this street because it is a charming cul-de-sac. My children walked to and from school. She discussed that traffic is bad in the morning and afternoon around Root Elementary. We will have a lot of cars turning and cutting through our street. It will affect the safety of our children on Charlee and Ash street. I am concerned with smaller high-density units adversely affecting the values of our homes. We're concerned with protecting our homes and the size of units coming in affecting our property values.

Kit Williams, City Attorney, clarified that roads are not evaluated now but traffic can be considered. He discussed other items that can be considered with a rezoning including compatibility.

Dale Thompson, 1690 Charlee Avenue, we have been there since 2001. We bought here primarily because of the good school system. His primary concern is because of the smaller lot sizes. Part of the reason they bought on Charlee was because of the house size. The other thing is the traffic. He discussed traffic in the morning and the afternoon and kids being safe on Charlee. He discussed flooding in this area and that the drainage system needs to be evaluated closely. He is against this rezoning.

Amy Rosetti, 1657 Charlee Avenue, my husband and I are opposed to this rezoning. There is a lot of traffic and it is unsafe. One time I had to call Root School because it was so tight cars couldn't even get through Charlee. One time on Saturday morning my daughter and I were in a wreck exiting Charlee onto Mission. There is speeding at other times of the day when the school is not in. The police do not patrol this area. I am concerned with the traffic. She discussed concerned with the proposed small homes and lack of greenspace and no place for the water to go.

Michelle Hightower, 1645 Charlee Avenue. I am opposed to the rezoning primarily because the density is much different than surrounding neighborhoods. The density and look will be different. I don't think there is a need to put housing like that. I have concerns with those homes being closer to the road. I am concerned with safety. I have four children. We only have sidewalks on one side. If our road is a connector, we are not in compliance with sidewalks. She discussed concerns with the creek and changes in the end of the creek causing flooding on their homes. There are already some flooding issues. Has there been a study to address the creek? There should be some assurances that nothing will happen to our property because of the homes back there.

Debbie Heller, 1621 Charlee Avenue, they are in the floodplain. She described flooding issues on her property. Everyday cars park in front of my house, I have to time when I am going to leave my home because it is so congested.

Laura Lindsey (again) said she has pictures of the water and flooding and can show pictures right now.

Andy Hightower, 1645 Charlee Avenue, discussed that you could consider traffic. We get a preview of what

Charlee will be if it is a cut-through about once a day when someone thinks it is a cut-through and it is terrifying how fast they go. It is terrifying how fast they leave. I have four children and my concern is their safety. He talked about the vision of the City being a safe community and said Charlee is a safe street now and would like to keep it that way.

No more public comment was presented.

Commissioner Chesser discussed the potential for cul-de-sac streets being connected. Were the developer to develop right now by right could the developer connect those streets?

Garner discussed that, yes, we described that in the rezoning report that all three of those streets were planned to be connected, and the City's ordinances would more than likely require all three of those streets to be connected with any residential subdivision on this property at the current RSF-4 zoning or the proposed NC zoning. The comments we're hearing about those streets being used as street stub-outs would be an issue whether or not the property were rezoned or not.

Commissioner Chesser discussed that under the current zoning it appears they could develop 34 units and under the proposed zoning they could develop 50 units. Is that correct?

Garner stated 'yes', the proposed zoning would allow 16 additional homes over what is existing.

Chesser asked about City Plan and connectivity.

Garner discussed that it is a strong policy of our City Plan and ordinances for connections within and throughout neighborhoods and streets in the city and to try to prevent dead-end streets and cul-de-sacs.

Chesser asked about schools and their input of a rezoning.

Garner discussed that impacts to schools is one of the legal findings for a rezoning. The City notifies the schools of rezoning requests but he was not aware of the City ever receiving comments from the school districts for a rezoning.

Chesser asked about the neighborhood being required to follow storm water requirements.

Garner stated that we did bring up the flooding issues to City Engineering staff. Garner read a statement from the Assistant City Engineer that is in the rezoning staff report regarding storm water and drainage requirements at the time of development.

Commissioner Winston asked the City Attorney about highest and best use.

Kit Williams, City Attorney, discussed that highest and best use is something you can consider along with many other factors. Compatibility is the primary consideration for a rezoning.

Commissioner Winston stated that there will be some development on this land whether it is under the existing zoning or the proposed zoning, and there will be some connections through the streets that you all are concerned about. There is no way to imagine that is not going to happen. He discussed that he thinks about this in terms of development patterns. The NC development pattern is preferable to the RSF-4 development pattern. It will allow more diversity to the living situations in the City and I'm generally in favor of that. I do want to point out that the neighborhood is absolutely right that when these streets are connected people using these streets to get their kids

to the school will use these streets in a way that is not safe. The condition is such a mess that I live right around the corner that I avoid the situation. Something needs to be done with other developments in the area. There will be more traffic and more traffic. Root School is a mess and it is unsafe. I'm not sure that rezoning this to NC will have enough of an impact to say that we should not do it. There is another question that we have to deal with regarding Root School and traffic in the area.

Garner discussed that City staff and administration and the alderman are aware of traffic issues in the area. He discussed that within the past year or so one of the alderman requested staff to do a street connectivity study in the area so staff completed an east-west connectivity study. We realize there are pinch-points where traffic is funneled all in to one area, such as Mission. So we looked at getting additional connections between and through neighborhoods to alleviate some of these issues. We are planning on installing a traffic signal at Mission/Old Wire Road as one of the first improvements along Old Wire Road. The City is aware of the traffic issues and we are trying to find some solutions.

Winston discussed that when development of this site occurs there would be different storm water requirements than when this area was initially developed.

Garner discussed the current storm water and detention requirements, and the possibility of downstream improvements depending on the extent of the project and status of the existing drainage system.

Commissioner Winston asked about the streamside protection ordinance.

Garner stated that it was in the streamside protection zone but that the creek doesn't really run through the site but barely cuts through the southwest corner.

Commissioner Chesser asked about downstream improvements.

Garner discussed that determination would be based on the development.

Commissioner Chesser asked about public comment from the person that stated they may be landlocked.

Garner discussed that location of streets would be determined at the time of preliminary plat. He stated that he had spoken to Mr. Jackson and it does appear that based on the dimensions and layout of the properties there would likely be one or two stub-outs.

Harry Jackson came up and indicated his concern with being landlocked.

Commissioner Chesser discussed concerns with the cul-de-sacs being extended but that even if we did nothing with the rezoning they could extend the streets by right. The question is will there be 34 or 50 houses built there. Given the goals of the City to do infill in sites just like this and to make that infill more walkable rather than less, and given the goals of the City to provide affordable housing he would like to make a motion to forward.

Motion:

Commissioner Chesser made a motion to forward RZN 11-3960 to the City Council with a recommendation for approval. **Commissioner Winston** seconded the motion.

Commissioner Honchell asked about bringing a new subdivision into an older neighborhood like this and the sidewalk requirements. The destination of choice will be to walk or ride to the school. What is the ordinance for

sidewalks? Development on this site will generate a ton of foot traffic down Charlee and Ramsey.

Garner discussed that City ordinance requires that almost all street cross sections in our Master Street Plan requires new streets to have sidewalks on both sides of the street. In some cases a development might warrant offsite sidewalk improvements if the project generates enough pedestrian traffic.

Commissioner Honchell asked about the maximum number of units per acre being four units?

Garner stated 'yes'.

Commissioner Honchell discussed safety, traffic, and flooding. I won't be in favor of the applicant on this one.

Upon roll call the motion to forward failed with a vote of 4-3-0 (Commissioners Honchell, Hoskins, and Griffin voting 'no'). The rezoning failed to be forwarded due to a lack of five positive votes.

Kit Williams, City Attorney, described the appeal process and requirements for the applicant to appeal the Planning Commission's decision to City Council.

There being no further business, the meeting was adjourned at 7:40 PM.

Date 10/18/11

Jeremy Pate
Zoning and Development Director
City of Fayetteville
113 W. Mountain
Fayetteville, Arkansas 72701

Dear Director Pate,

This document is in response to the request for comments on proposed RZN 11-3960: (1730 N. Old Wire Road / Williams & Cooper, 369): submitted by Jackson Williams and Tim Cooper for property located at 1730 N. Old Wire Road. The property contains approximately 8.6 acres.

It is the opinion of the Fayetteville Police Department that this RZN will not substantially alter the population density, and will not create an appreciable or undesirable increase in the load on police services. This RZN will not create an appreciable increase in traffic danger and congestion.

Sincerely,

Captain William Brown
Fayetteville Police Department



Zoning Review

To: Andrew Garner, Amy Sloan
From: Captain Mark Stevens
Date: October 26, 2011
Re: RZN 11-3960

This development will be protected by Engine 5 located at 2979 N. Crossover Road. It is 2 miles from the station with an anticipated response time of 4 minutes to the beginning of the development. The Fire Department anticipates 19 (12 EMS - 7 Fire/Other) calls for service each year after the development is completed and maximum build-out has occurred of 10 units per acre as allowed by this zoning.

Item (G) would require any building to meet the requirements of the fire code section D105 to be no farther than 30 feet from the street since this zoning allows for a 3 story building not to exceed 45 feet in height to be built. I refer you (E) the setback regulations.

The Fayetteville Fire Department does not feel this development will affect our calls for service or our response times.

If you have any questions please feel free to contact me.

Captain Mark Stevens
Assistant Fire Marshal
Fayetteville Fire Department

Rezoning Request
Written Description
1730 N Old Wire Road
Fayetteville, Arkansas 72703
Parcel Number 765-13432-000

This 8.6 acre parcel is currently owned by the Torbett Family Revocable Trust, Janice Torbett, Trustee. The property is currently pending purchase by W-Bar Investments, LLC, Jackson Williams, Member.

The current zoning on this parcel is RSF-4 which the minims allow for single family 70 ft / 8000 sq ft / setbacks of 15 front / 5 sides / 15 rear on the lots. The current estimated development cost coupled with the land cost premium on such a well located parcel directly dictates the need for a Neighborhood Conservation zone. Neighborhood Conservation serves to promote and protect neighborhood character and is duly suited for this residential parcel. The Neighborhood Conservation zone allows for minimums on single family 40 ft / 4000 sq ft / setbacks of within 25' in front / 5' on the side / 5' in the rear and 12' from the center alley line in the rear. The NC zone specifically meets the needs and characteristics for the development plan for this parcel. The current proposed development plan for this parcel includes only single family detached homes designed for smaller families who are not interested in having a large yard to maintain; rather their interest lay in having a well kept small footprint in a highly desirable location.

This parcel is bordered on three sides by platted residential subdivisions and located between the existing Principal Arterial thoroughfare of Mission Blvd to the South and the existing Collector thoroughfares of Old Wire Road and Sycamore Street to the West. The appearance and signage of this proposed development will mesh with the existing residential feel and function and will serve to only enhance the desirability of the area.

There is an existing 12" gravity flow sewer line dissecting this parcel from North to South. There is also a 36" sewer line to the West at Old Wire Road, an 8" line on Ash Street to the North, a 6" line on Charlee Avenue to the West and a 10" line in the creek to South, all of which are gravity flow. There is an existing 36" water line located at Old Wire Road, and 8" on both

Ash Street and Charlee Avenue thus there should be no significant or undesirable increase on the load of the water and sewer facilities.

Neighborhood Conservation by definition is a residential zone and is compatible with the surrounding properties current uses as well as those detailed in the Future Land Use 2030 plan as a Residential Neighborhood Area. The goal of this rezoning matches the existing goals of the current City Plan 2025 long range master plan in the areas of infill, encompassing the traditional town form, having a low impact on the existing transportation system, maintaining a green focus as well as filling a need in Fayetteville for a smaller, well located home for small families. The location of the subject parcel is such that there are many opportunities for connectivity to existing dead end streets, sidewalks and bike paths.

This zoning request is justified and needed at this time as the small families in Fayetteville have very limited options for small footprint single family homes located near the Fayetteville City Centers, shopping, entertainment, schools, art and culture.

When one considers the location of this parcel and the goals of the Fayetteville City Plan 2025, Future land Use Plan and Master Street Plan the conclusion can be made that this proposed rezoning coupled with the development plans will stand to support the overall goals of these plans and NOT appreciably increase traffic danger, congestion, or the load on the existing schools.

The ever escalating cost of new subdivision infrastructure designed and built to the thorough City of Fayetteville standards coupled with the premium for well located, undeveloped infill property dictates the need for a change in this property's existing zoning classification. The effort set forth in making this zoning change will benefit and fill a much needed and currently unfulfilled niche for the smaller families in Fayetteville who choose to live on a well located smaller footprint in town.

BILL OF ASSURANCE FOR THE CITY OF FAYETTEVILLE, ARKANSAS

In order to attempt to obtain approval of a request for a zoning reclassification, the owner, developer, or buyer of this property, (hereinafter "Petitioner") W-Bar Investments, LLC, hereby voluntarily offers this Bill of Assurance and enters into this binding agreement and contract with the City of Fayetteville, Arkansas.

The Petitioner expressly grants to the City of Fayetteville the right to enforce any and all of the terms of this Bill of Assurance in the Circuit Court of Washington County and agrees that if Petitioner or Petitioner's heirs, assigns, or successors violate any term of this Bill of Assurance, **substantial irreparable damage justifying injunctive relief** has been done to the citizens and City of Fayetteville, Arkansas. The Petitioner acknowledges that the Fayetteville Planning Commission and the Fayetteville City Council will **reasonable rely** upon all of the terms and conditions within this Bill of Assurance in considering whether to approve Petitioner's rezoning request.

Petitioner hereby voluntarily offers assurances that Petitioner and Petitioner's property shall be restricted as follows **IF** Petitioner's rezoning is approved by the Fayetteville City Council.

1. The use of Petitioner's property shall be limited to Single Family Detached units. Multi Family and or Duplex units will not be allowed.
2. Other restrictions including number and type of structures upon the property are limited to a maximum of 50 single family lots with no more than two stories.
3. Specific activities will not be allowed upon petitioner's property include the development and or construction of Multi Family and or Duplexes.
4. (Any other terms or conditions) None.
5. Petitioner specifically agrees that all such restrictions and terms shall **run with the land** and bind all future owners unless and until specifically released by Resolution of the Fayetteville City Council. This Bill of Assurance shall be filed for record in the Washington County Circuit Clerk's Office after Petitioner's rezoning is effective and shall be noted on any Final Plat or Large Scale Development which includes some or all of Petitioner's property.

Cindy Monreal - Protest of RZN 11-3960 Williams/Cooper

From: Kevin and Charity Sanchez <ksanche@gmail.com>
To: Cindy Monreal <cmonreal@ci.fayetteville.ar.us>
Date: 10/20/2011 5:56 PM
Subject: Protest of RZN 11-3960 Williams/Cooper

Dear Fayetteville Planning Department,

My wife and I protest the rezoning request RZN 11-3960. We have the following concerns: 1) The request is to rezone to neighborhood conservation which could potentially dramatically increase the density from 4 to 10 units per acre. The current and surrounding subdivisions are all 4 units per acre but the actual densities are less than 4. We agree that this location is a prime and desirable location in Fayetteville and that land cost and home cost is at a premium which is why we wish to preserve the resale value of our home. This alone is not a reason that would "dictate" the need for a neighborhood conservation zone. We cannot afford to have our investment diminished by many more smaller and cheaper units on lot sizes smaller to that of our own. 2) The planning commission has already rezoned the Summit Place subdivision to NC and so the argument that there isn't enough of or limited options for NC zoning that would be desirable to smaller families is not factual. 3) The collector street of Old Wire Road is already taxed with heavy morning traffic and I have difficulty as it is between 7:45 and 8:15 crossing it to get to Sycamore. One logical connection to the proposed development is via Samantha & E. Ash St., but I am very concerned about the amount of traffic that would be generated from a NC zone vs. that of a RSF-4. Not only would I have to wait for traffic already traveling those roads, but I would have to wait behind tens of other vehicles from a more dense zoning as well. This rezoning WOULD appreciably increase traffic danger and congestion. There is a sight distance problem at the intersection of Sycamore & Old Wire rd that would be made worse by the added traffic. 4) Any connection to N. Ramsey St. would severely make things worse as parents would use it and Samantha & Ash as a cut thru or staging area for pick-up & drop-off for Root elementary school. 5) We already have a rainwater runoff issue with the current site with its use as agricultural. If the impervious surface is further increased beyond that of a RSF-4 it will make conditions worse for us and our neighbors. Any development activity will have to be seriously monitored. 6) The width of the streets is of concern along with the sidewalk widths. I would like to see 50 ROW to mirror that found in Regency estates. I would also like to be re-assured that sidewalk connections would be made with adjacent subdivisions including those with sidewalks along Old Wire road. ROW any less is very hazardous when two vehicles cannot pass each other if there is a car parked in the road as demonstrated by E. Amber drive or N. Woolsey. 7) I tried to contact the applicants and have a meeting with them regarding my concerns and they were non-responsive.

Sincerely,

Kevin & Charity Sánchez

On Wed, Oct 5, 2011 at 3:25 PM, Cindy Monreal <cmonreal@ci.fayetteville.ar.us> wrote:

Hi,
Attached is the files that were turned in for this project.
Thank you
Cin
Cindy Monreal
Senior Planning Secretary
City of Fayetteville
PH: [479.575.8268](tel:479.575.8268)
email: cmonreal@ci.fayetteville.ar.us

RZN11-3960

WILLIAMS & COOPER

Current Land Use



Legend

- Multi-Use Trail (Existing)
- Trails
- City Limits

Overview RZN11-3960

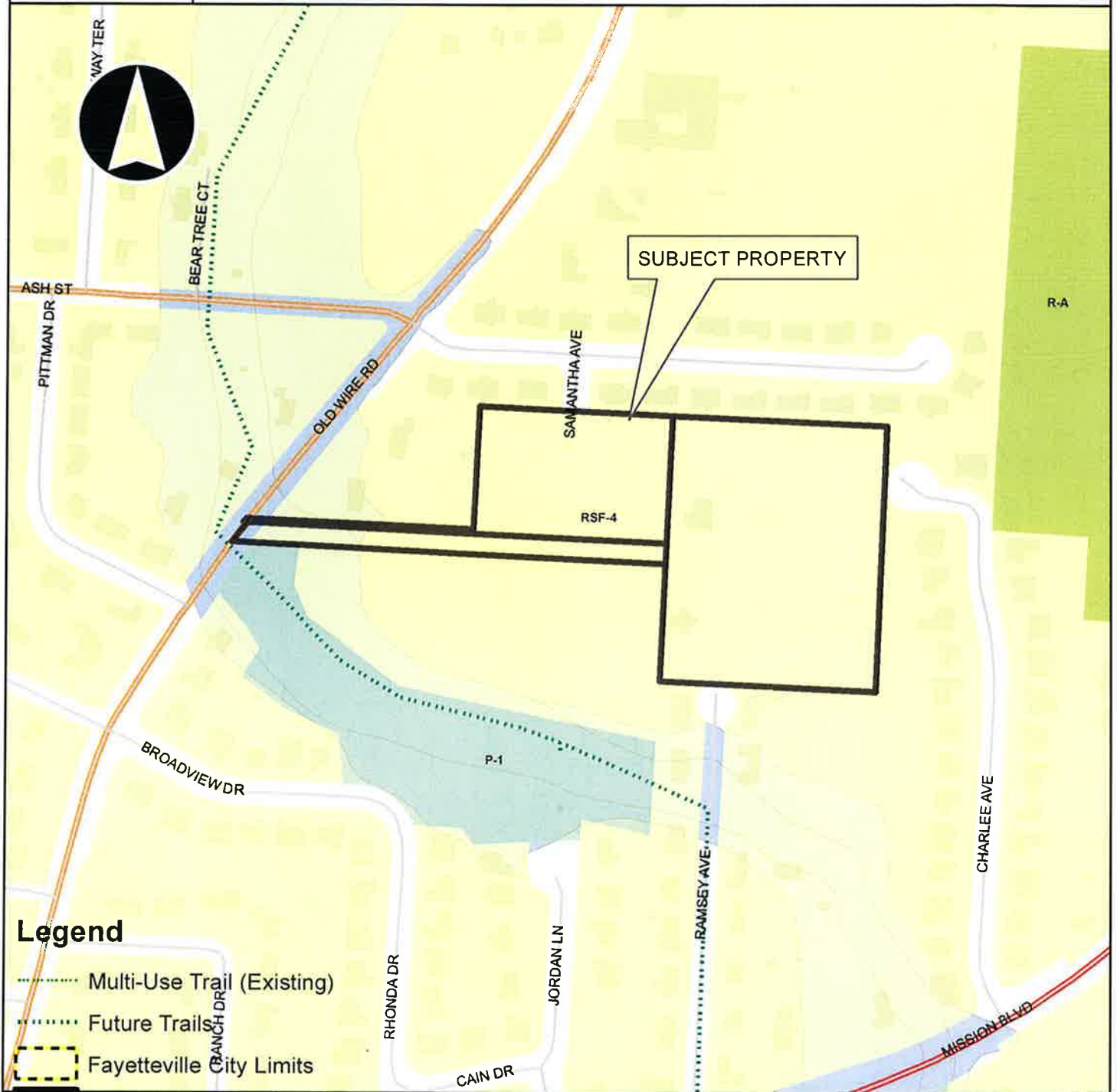
- Footprints 2010
- Hillside-Hilltop Overlay District
- Design Overlay District
- Design Overlay District
- Planning Area



RZN11-3960

WILLIAMS & COOPER

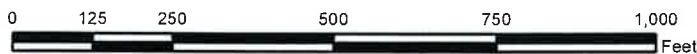
Close Up View



Legend

- Multi-Use Trail (Existing)
- Future Trails
- Fayetteville City Limits

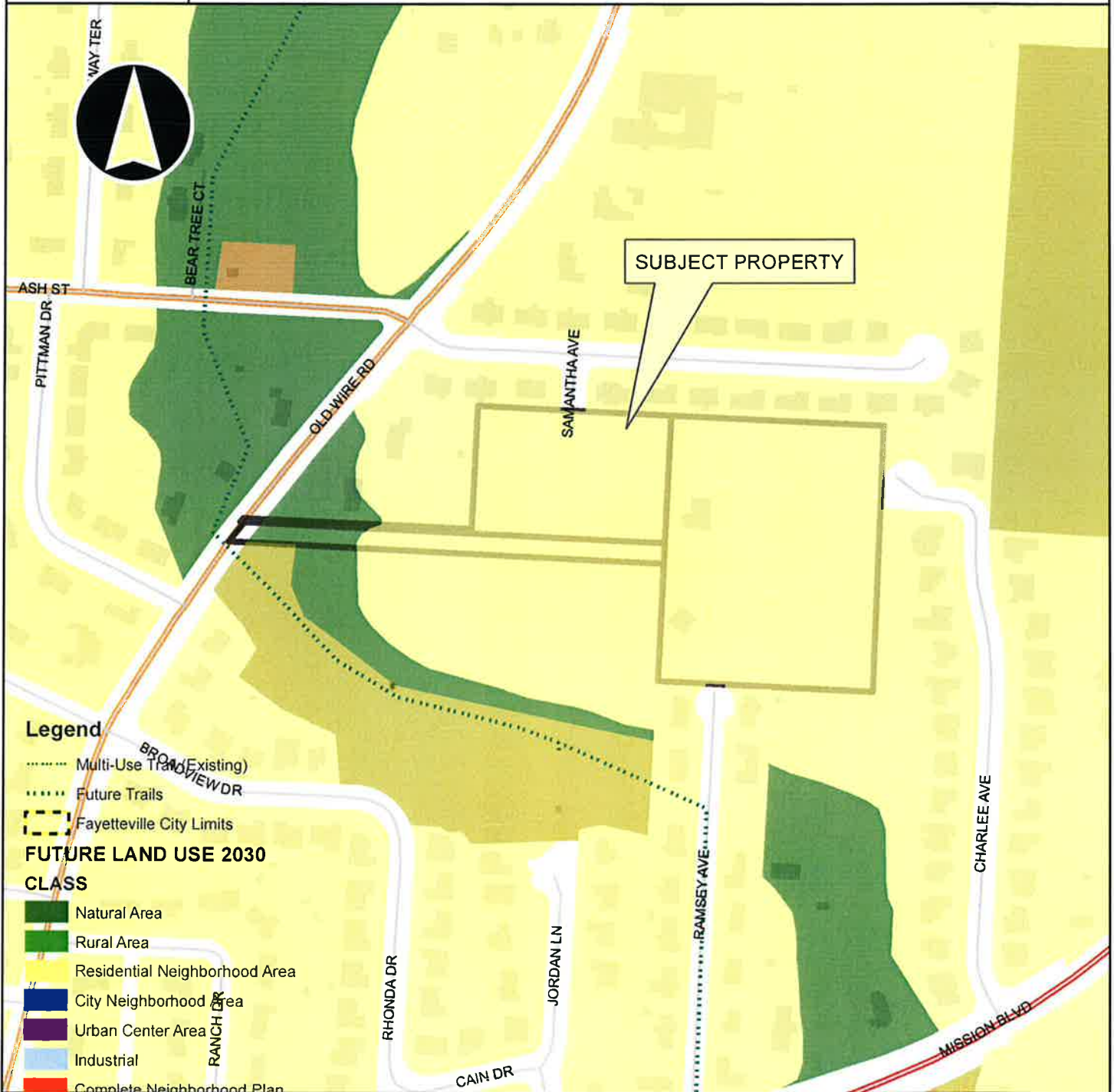
- Overview RZN11-3960
- Footprints 2010
- Hillside-Hilltop Overlay District
- Design Overlay District
- Design Overlay District
- Planning Area



RZN11-3960

WILLIAMS AND COOPER

Future Land Use



Legend

- Multi-Use Trails (Existing)
- Future Trails
- Fayetteville City Limits

FUTURE LAND USE 2030

CLASS

- Natural Area
- Rural Area
- Residential Neighborhood Area
- City Neighborhood Area
- Urban Center Area
- Industrial
- Complete Neighborhood Plan

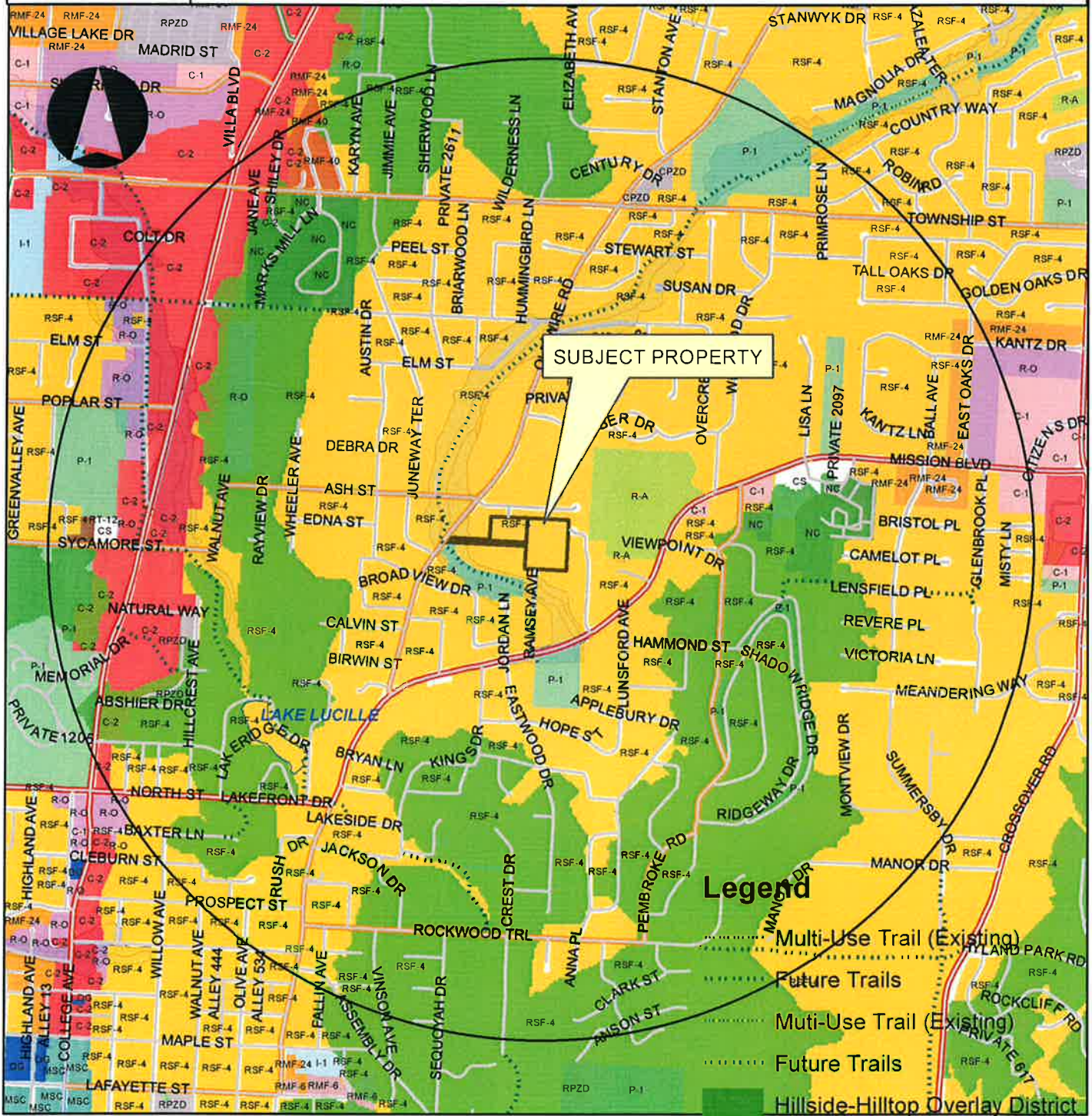
- Civic and Private Open Space/Parks
- Civic Institutional
- Non-Municipal Government
- ROW
- RZN11-3960
- Design Overlay District
- Design Overlay District
- Planning Area



RZN11-3960

WILLIAMS AND COOPER

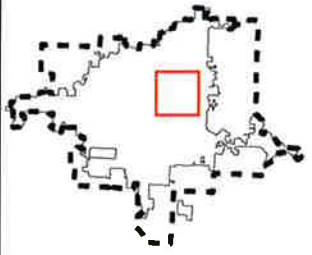
One Mile View



Legend

- Multi-Use Trail (Existing)
- Future Trails
- Multi-Use Trail (Existing)
- Future Trails
- Hillside-Hilltop Overlay District

Overview



Legend

- Subject Property
- RZN11-3960

Boundary

- RZN11-3960
- Design Overlay District
- Planning Area
- Fayetteville



