

November 17, 2011

CITY OF FAYETTEVILLE  
CITY CLERK'S OFFICE

Bobby Ferrell  
Fayetteville City Council  
2413 Twin Oaks Court  
Fayetteville, AR 72703

Justin Tennant  
Fayetteville City Council  
113 W. Mountain  
Fayetteville, AR 72701

Sondra Smith  
Fayetteville City Clerk  
113 W. Mountain  
Fayetteville, AR 72701

Dear Councilmen Ferrell and Tennant:

I am writing in reference to the proposed rezoning request for 1730 N. Old Wire Road – parcel number 765-13432-000.

My wife and I oppose plans by W-Bar Investments LLC (hereinafter referred to as "Developer") to build a new development and add a new street connection from their proposed development to Charlee Street. We live at 1616 N. Charlee and would be negatively impacted by the Developer's proposed development and street connection which would open Charlee Street as a thru street for traffic traveling on Mission Boulevard and Old Wire Road not to mention the traffic generated from the new homes slated for the development.

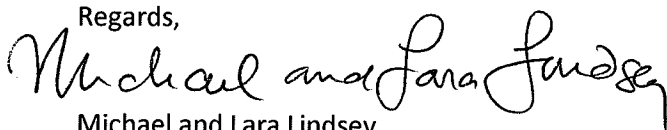
Last month we sent you letters stating our opposition to the developer's plans. Our original reasons for opposing this development remain true since the developer has made no attempt to modify his plan or address our concerns. In summary, we feel that the proposed development's plan to construct 50 homes on 8.5 acres does not match surrounding neighborhoods. The developers are requesting to rezone to neighborhood conservation, but the definition of neighborhood conservation says it should be compatible with surrounding neighborhoods. The density of this new development is not compatible with the surrounding neighborhoods.

Additionally, the proposed development would require opening Charlee Street to thru traffic, which would negatively impact the safety of our children and reduce the value of our home. Our daughters are blessed to be able to use our street to ride their bikes and play with other kids in the neighborhood. Adding thru-traffic and an additional fifty homes will end this practice as the vehicles utilizing the street will skyrocket. Also please consider that Charlee Street serves as a drop off and pick up location for children attending Root and for children catching the bus to McNair. Adding thru-traffic to this street will make the street less safe for these kids.

The developer states in their application that the proposed rezoning "will not appreciably increase traffic danger, congestion, or the load on the existing schools." This claim is absolutely false. How can adding fifty houses and all of the accompanying traffic not have a negative impact on danger, congestion and load on existing schools. We ask that you oppose the developer's rezoning request and encourage them to rework their plan to better fit with the surrounding neighborhoods.

Thank you for your consideration.

Regards,



Michael and Lara Lindsey  
1616 N. Charlee

**City Clerk - Fwd: Rezoning of property located off of Old Wire Road (RZN 11-3960)**

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**From:** <kadams546@aol.com>  
**To:** <city\_clerk@ci.fayetteville.ar.us>  
**Date:** 11/30/2011 9:04 PM  
**Subject:** Fwd: Rezoning of property located off of Old Wire Road (RZN 11-3960)

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Can you please confirm receipt of this message. I originally sent to an e-mail that I was given that did not have Fayetteville spelled out.

Please read the message below.

Thanks you!

Kyle and Johnese Adams

-----Original Message-----

From: kadams546 <kadams546@aol.com>  
To: city\_clerk <city\_clerk@ci.fay.ar.us>  
Sent: Thu, Nov 17, 2011 7:13 pm  
Subject: Fwd: Rezoning of property located off of Old Wire Road (RZN 11-3960)

We want to be sure that this information is given to Justin Tennant, Bobby Ferrell and also to the City Council members that will be voting on this re-zoning issue.

We have emailed directly to the e-mail address for Justin that we were given but I don't have confirmation that he has received.

Can you please confirm receipt of our letter and that it will be forwarded to the proper individuals.

Thank you for your assistance,

Kyle and Johnese Adams  
1630 Charlee Avenue  
Fayetteville, AR 72703

-----Original Message-----

From: kadams546 <kadams546@aol.com>  
To: ward3\_pos1 <ward3\_pos1@ci.fay.ar.us>  
Cc: ward3\_pos1 <ward3\_pos1@ci.fayetteville.ar.us>  
Sent: Mon, Nov 14, 2011 10:16 pm  
Subject: Rezoning of property located off of Old Wire Road (RZN 11-3960)

Justin,

This is Kyle and Johnese Adams. We would like for you to carefully review the re-zoning case noted above as we are very concerned for the safety and preservaton of our neighborhood.

We have lived on Charlee Avenue here in Fayetteville for 18 years. During that time, we have raised our family in a nice, quiet, family oriented neighborhood. Our street has had very little change in ownership over the years. Our neighbors have all chosen to live here for such a long time due to the qualities we have noted above.

This re-zoning request is asking that land northeast of our neighborhood be re-zoned from a RSF-4 status to NC which is Neighborhood Conservation. Conserving or preservation of a neighborhood is not what the

developers are attempting to do with the property. They are wanting to build 50 smaller homes on a 8.66 acre tract of land. This will not conform in any way to the surrounding neighborhoods, which are all currently zoned RSF-4. This will not be condusive to families purchasing these homes, but will lend it size and price to residents being tenants in rental properties should these properties not be sold. With this desity of homes, comes the number of drivers/cars that will flow into and out of this development by way of Charlee Avenue and surrounding streets such as Ramsey and Ash.

From what we understand at this time, the homes will be much smaller in square footage in order to make the most out of the land. The density will not be comparable to the surrounding sites. The homes will be set to the front of the lots, not in traditional home style setting as the surrounding developments. There will also be rear street entry to garages. With this rezoning, would come the traffic **flow** from Mission Avenue northeast through Charlee Avenue in order to connect with Old Wire Road. We don't know if you have to travel on Mission avenue in the morning or the afternoon during the school hours. If you exit our neighborhood, you best be turning to the right to head downtown. Turning left is not a **safe** or wise decision anytime, but especially at peak times of the day. Our concern is with this flow of traffic, our neighborhood was not designed for this flow. Also, at the entrance to Charlee Avenue, there is an arch to how our road exits to Mission. There is little visibility for access onto Mission and at excessive speeds, traffic flowing onto Charlee from Mission is dangerous. When entering Charlee, there has to be a wide turn in order to enter the neighborhood and cars cross into the far lane which can be into oncoming cars exiting the neighborhood. This is hard to describe and put into words, and we would invite you to actually drive into and out of our street onto Mission to experience this for yourself, especially at those peak times for school and work.

We do feel that this re-zoning will create and appreciably increase **traffic danger and congestion!** We also believe it will alter the population density thereby undesirably increasing the load on public services including our schools (Root), water and sewer facilities. It is not consistent with current land use that surrounds it and thus has a negative impact on our homes.

Thank you so much for your time in hearing us on this matter. We will be in attendance at the December 6th council meeting and we hope that you will see why we ask that you vote against this request.

Kyle and Johnese Adams  
1630 Charlee Avenue  
Fayetteville, AR

Home Phone: 521-7879  
Cell Phone: 871-3287  
e-mail : [kadams546@aol.com](mailto:kadams546@aol.com)

**City Clerk - Fwd: Rezoning 11-3960 1730 N. Old Wire Road**

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**From:** Jana Burton <burt100@cox.net>  
**To:** "city\_clerk@ci.fayetteville.ar.us" <city\_clerk@ci.fayetteville.ar.us>  
**Date:** 11/30/2011 10:42 PM  
**Subject:** Fwd: Rezoning 11-3960 1730 N. Old Wire Road

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Please note that this was originally sent on November 18, 2011 to a different e-mail address.

Jana Burton  
Sent from my iPhone

Begin forwarded message:

**From:** <burt100@cox.net>  
**Date:** November 18, 2011 5:03:55 PM CST  
**To:** [city\\_clerk@ci.fay.ar.us](mailto:city_clerk@ci.fay.ar.us), [ward3\\_pos1@ci.fayetteville.ar.us](mailto:ward3_pos1@ci.fayetteville.ar.us),  
[ward3\\_pos2@ci.fayetteville.ar.us](mailto:ward3_pos2@ci.fayetteville.ar.us)  
**Subject:** **Rezoning 11-3960 1730 N. Old Wire Road**

Dear Fayetteville City Council,

I am writing to let you know that I am opposed to the proposed rezoning of the property at 1730 N. Old Wire Road. I have been a resident homeowner on Charlee Avenue for 19 years and I strongly believe that rezoning this property to Neighborhood Conservation status would cause serious problems for Charlee and surrounding streets and neighborhoods. Some of my concerns are:

**Safety** - Charlee Avenue empties on to Mission Ave. at an off set to Root Elementary School. Charlee is located between two crosswalks where children cross twice daily before and after school with Crossing Guards and it is also a school bus stop every morning and afternoon. Mission is a highway. The 100 or more extra cars going on and off Charlee at peak times will only make for a more dangerous situation for our citizens and their children. I would like to know when the last time a traffic count was done at that intersection. It seems to me that it would be safer for the exit to be connected to Old Wire where there is no school. Even during non-peak hours it is very difficult to turn left from Charlee onto Mission and there have been accidents at the corner.

**Density** - I believe that the houses built on this property (if any) should be the same type as the homes that are already existing on the streets surrounding this area. The current zoning for all surrounding streets is for single family homes and I strongly believe that it should stay that way and not be changed to something that is not in keeping with the long and current pattern of our neighborhood zoning.

**Possible Flooding** - The homes on the west side of Charlee near the creek that runs behind their home will be placed at an increased risk of flooding if this proposed re-zoning is passed. I know of at least one home on Charlee that is partially in the flood plain.

I hope that you take these reasons and my concerns and opinion into thoughtful

consideration and vote against the re-zoning 11-3960 1730 N. Old Wire Road. Thank you.

Sincerely,

Jana Burton  
1702 Charlee Ave.  
Fayetteville, AR 72703

