

City Council Agenda Items
and
Contracts, Leases or Agreements

12/18/2012

City Council Meeting Date
Agenda Items Only

Andrew Garner

Submitted By

Planning

Division

Development Service

Department

Action Required:

RZN 12-4250: Rezone (Parks and Recreation): Submitted by City of Fayetteville for city park property located throughout the city, containing approximately 110.91 acres. The properties are zoned multiple zoning districts and contain approximately fourteen city parks and trail corridors. The request is to rezone the properties to P-1, Institutional.

Cost of this request	\$ -	Category / Project Budget	Program Category / Project Name
Account Number	\$ -	Funds Used to Date	Program / Project Category Name
Project Number	\$ -	Remaining Balance	Fund Name

Budgeted Item

Budget Adjustment Attached

Charles Fox
Department Director

Date

Previous Ordinance or Resolution #

Paula A. Beckler
City Attorney

Nov 30, 2012
Date

Original Contract Date:

Original Contract Number:

Paula A. Beckler
Finance and Internal Services Director

12-3-2012
Date

Received in City Clerk's Office
King J.
11-30-12 11:06 RCVD

Don Allen
Chief of Staff

12-3-12
Date

Received in Mayor's Office
11/30/12
ENTERED
PH

Lionel Jordan
Mayor

12/4/12
Date

Comments:

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: November 29, 2012

Subject: RZN 12-4250 (City Parks)

RECOMMENDATION

The Planning Commission and staff recommend approval of an ordinance to rezone the subject parkland and trail corridor properties to P-1, Institutional.

BACKGROUND

The subject property consists of 14 city-owned properties that are currently developed for, or intended to be used as future parks or trails throughout the City of Fayetteville. The underlying zoning for these properties ranges from Residential-Agricultural to General Industrial (I-2) to Residential Planned Zoning Districts (R-PZD), with several located within the Residential Single-Family-4 Units per Acre (RSF-4) zoning district. The applicant proposes to rezone the all of the subject properties to P-1, Institutional.

In 2002, the City Council approved the Parks and Recreation 10-Year Master Plan. A guiding policy of the Master Plan is to *"Upgrade existing and provide additional community and neighborhood parks"*. An implementation strategy of the guiding policy is to *"Develop design standards that address safety, maintenance, signage and aesthetic issues."* As the subject properties are currently zoned, the Unified Development Code would vary the development regulations and size of signs that are consistently installed on City parkland. Further, Chapter 161.29 (A) states that the P-I, Institutional zoning is designed to protect and facilitate the use of property owned by larger public institutions and church related organizations and will allow cultural and recreational facilities as permitted uses. This zoning classification will better guide the development and maintenance of the City's parks and trails.

DISCUSSION

On November 26, 2012 the Planning Commission forwarded this item to the City Council with a recommendation of approval with a vote of 8-0-0.

BUDGET IMPACT

None.

ORDINANCE NO.

AN ORDINANCE REZONING THE PROPERTIES DESCRIBED IN REZONING PETITION RZN 12-4250, FOR FOURTEEN CITY OF FAYETTEVILLE PARKS AND TRAIL CORRIDORS ON APPROXIMATELY 110.91 ACRES, LOCATED THROUGHOUT THE CITY FROM MULTIPLE 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 following described properties:

From R-A, Residential Agricultural; RSF-4, Residential Single-Family, 4 units per acre; RMF-24, Residential Multi-Family, 24 units per acre; R-O, Residential Office; C-2, Thoroughfare Commercial; I-2, General Industrial; DC, Downtown Core; C-1, Neighborhood Commercial; and R-PZD, Residential Planned Zoning District to P-1, Institutional, as shown on Exhibits "A-1" through "A-14" and as referenced in the respective warranty deeds found on Exhibit "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.

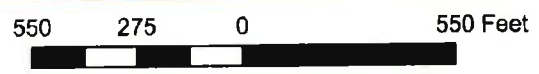
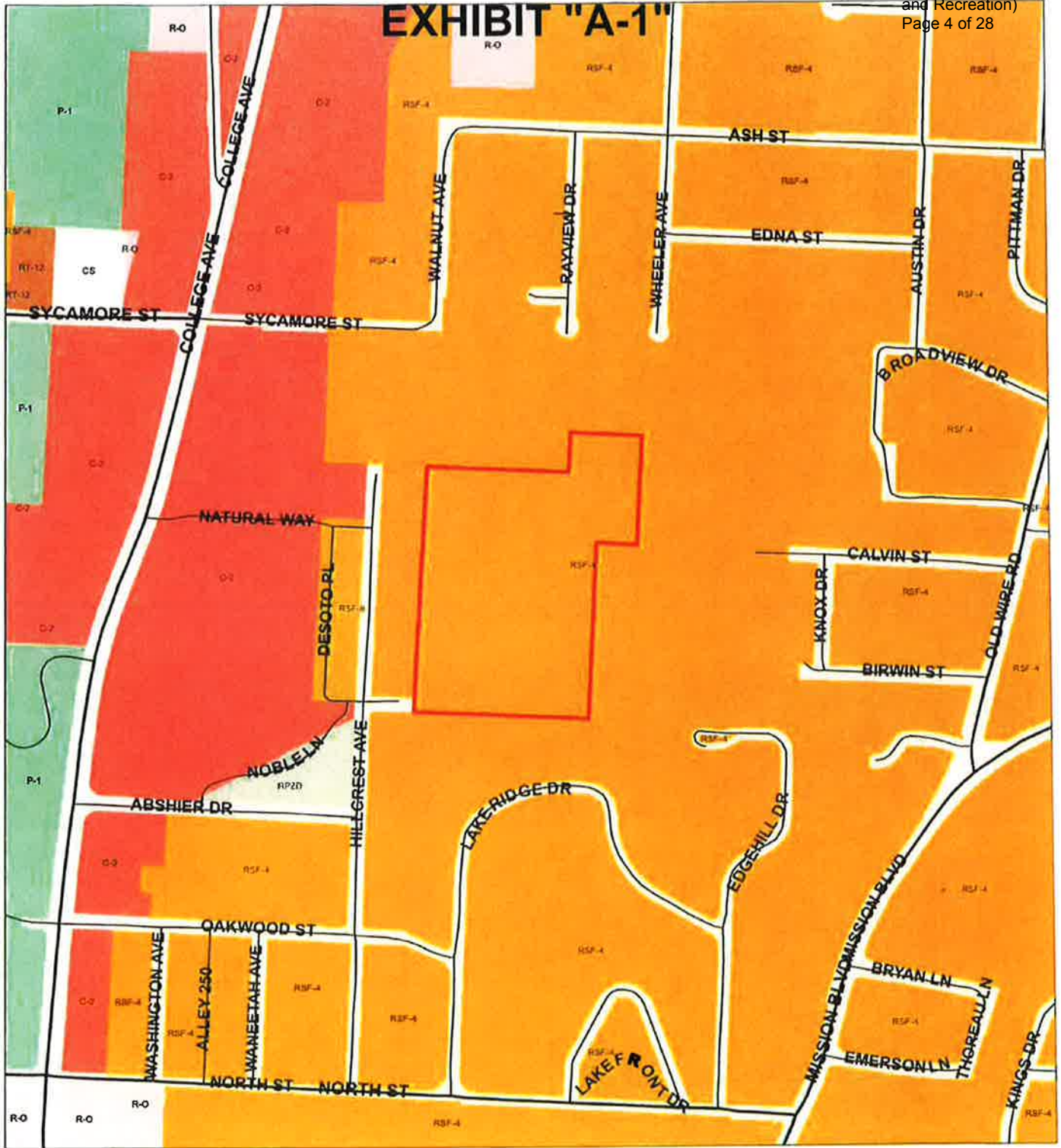
PASSED and **APPROVED** this day of , 2012.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

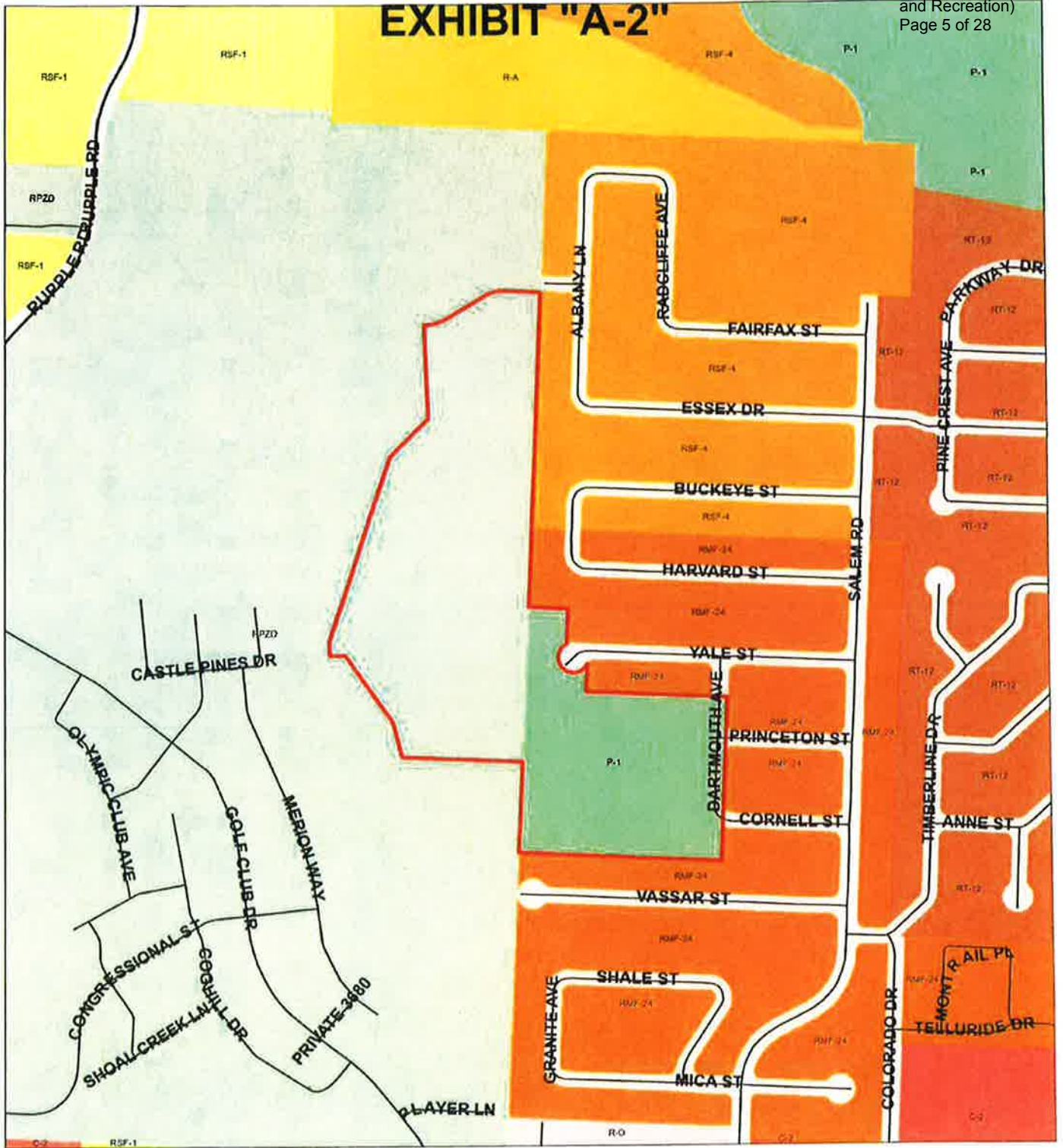
By: _____
SONDRA SMITH, City Clerk/Treasurer



Brooks-Hummel Nature Preserve

Legend

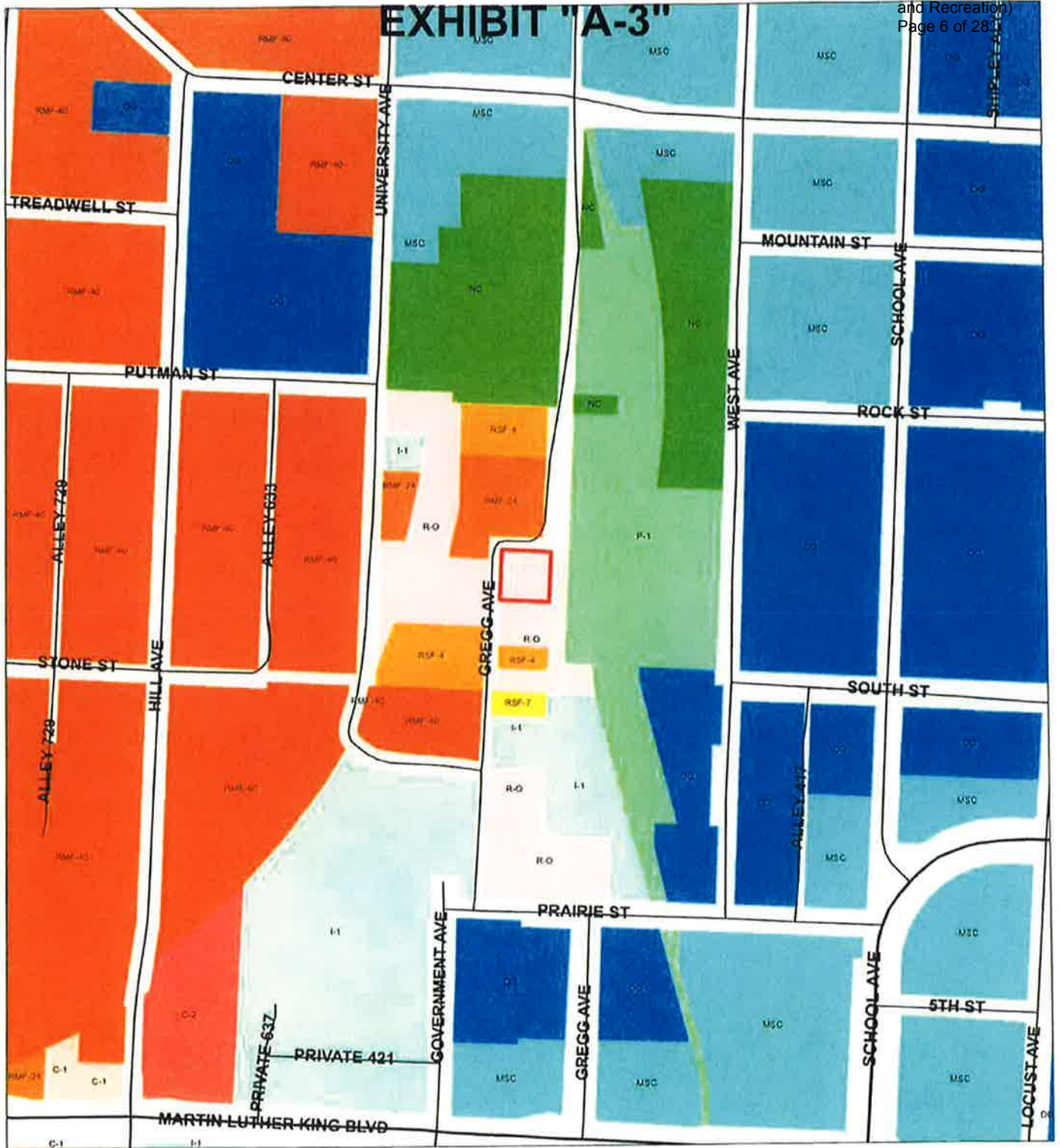
 Park Property



Bryce Davis Park

Legend

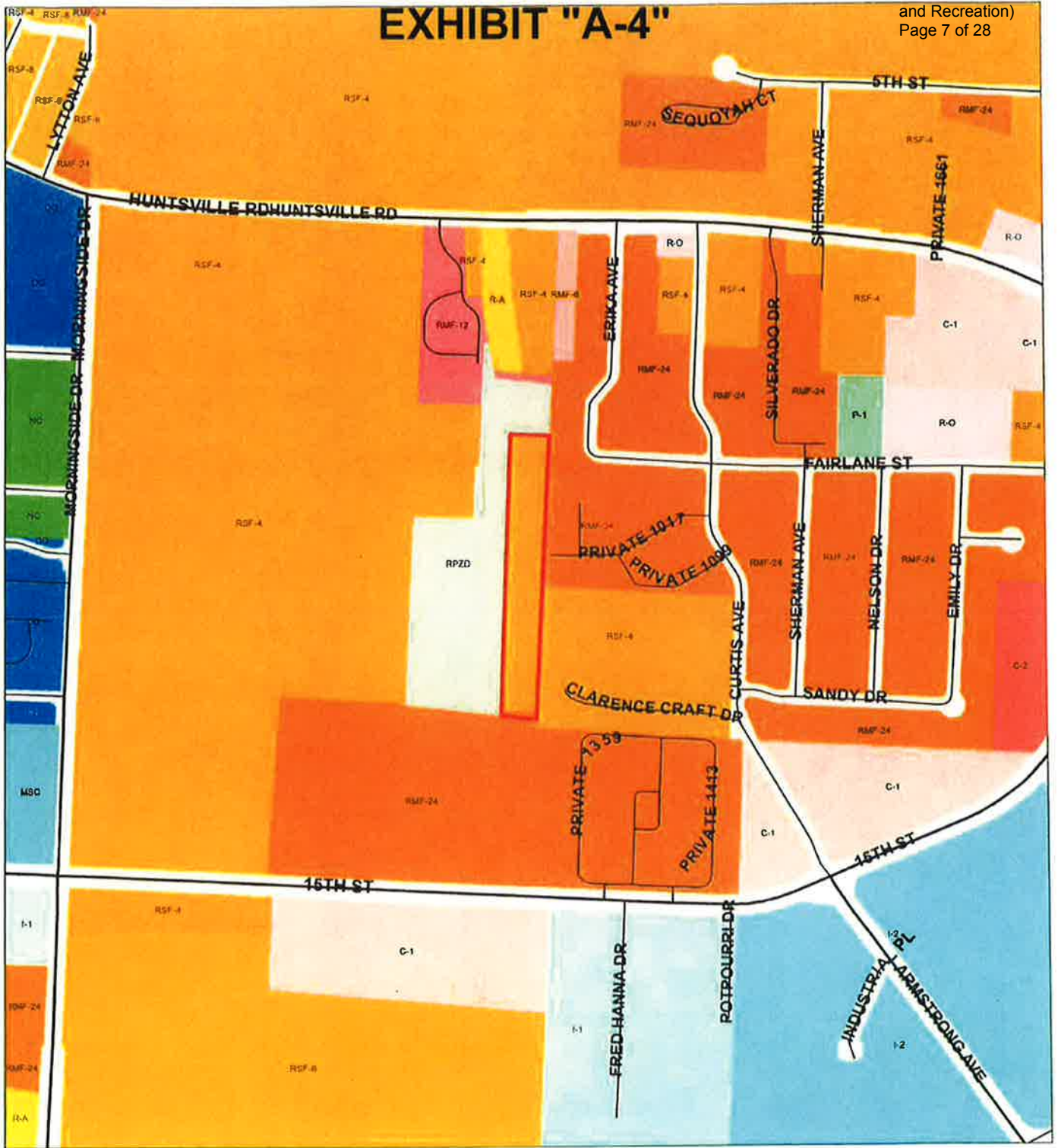
 Park Property



Gregg Ave Natural Area

Legend

 Park Property

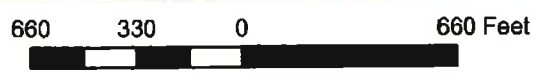
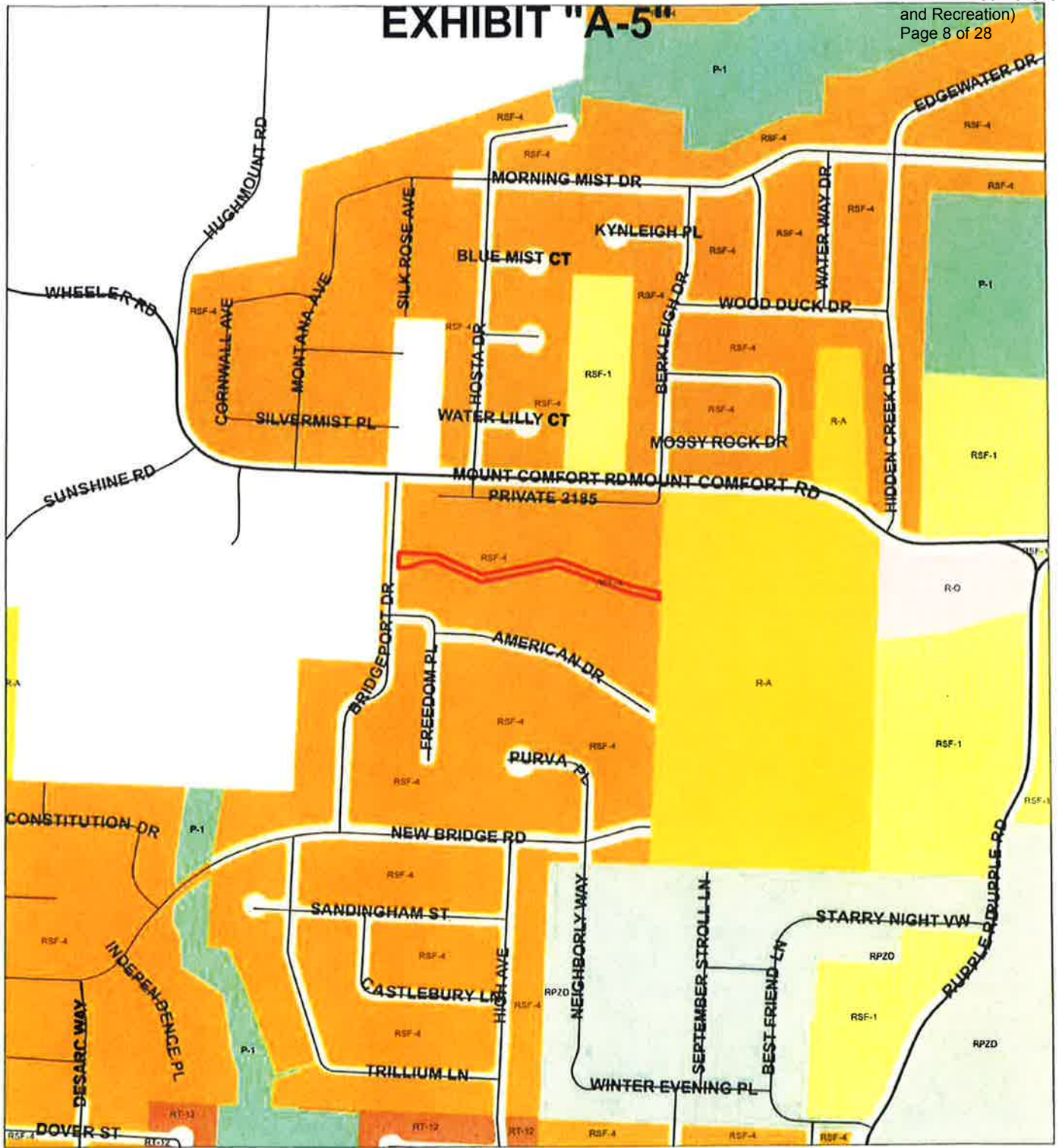


Habitat for Humanity Park Land

Legend

 Park Property

EXHIBIT "A-5"

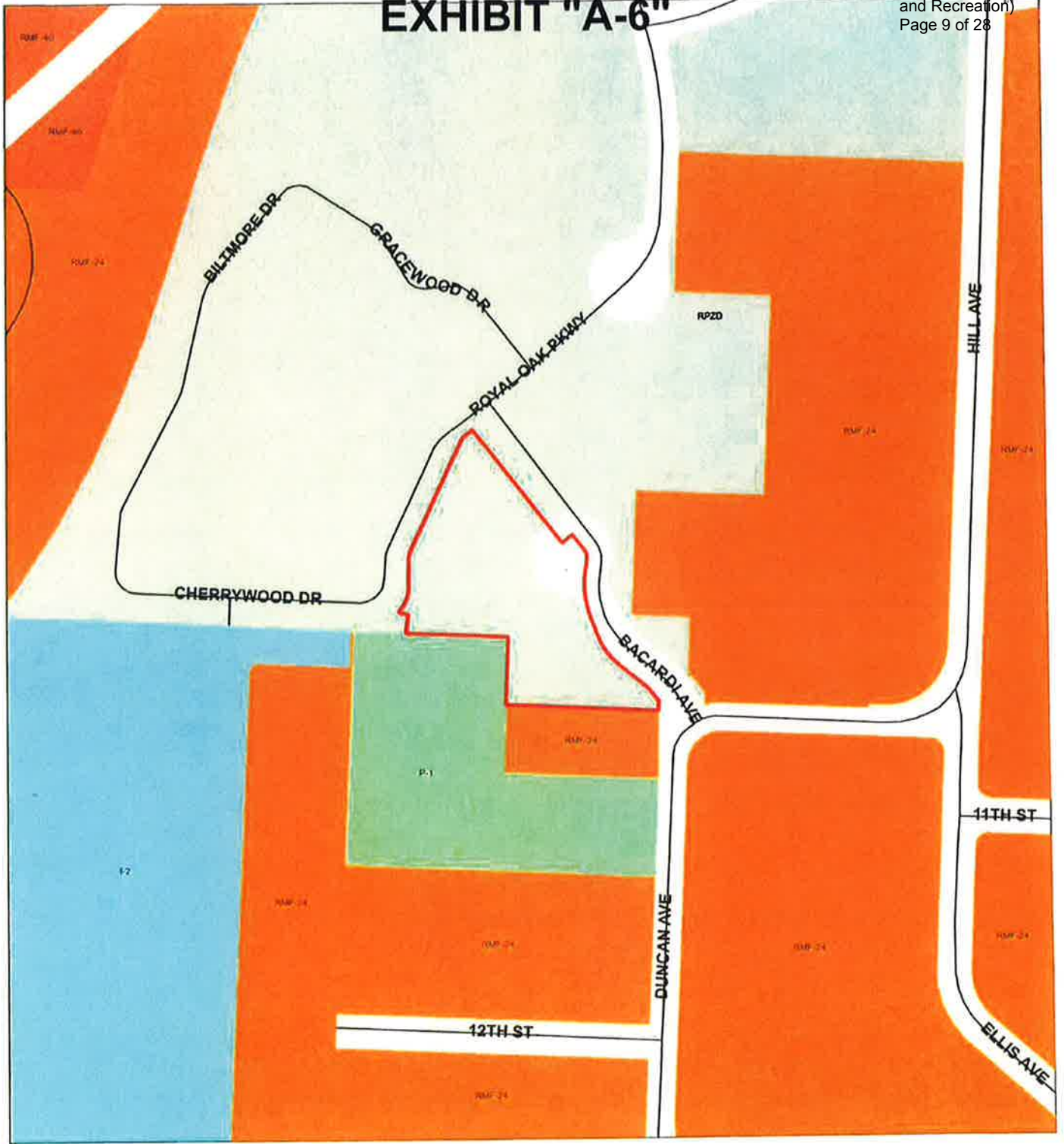


Hamestring Creek Trail Corridor

Legend

 Park Property

EXHIBIT "A-6"

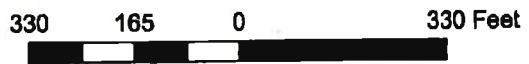


Hill Place Park Land

Legend

 Park Property

EXHIBIT "A-7"

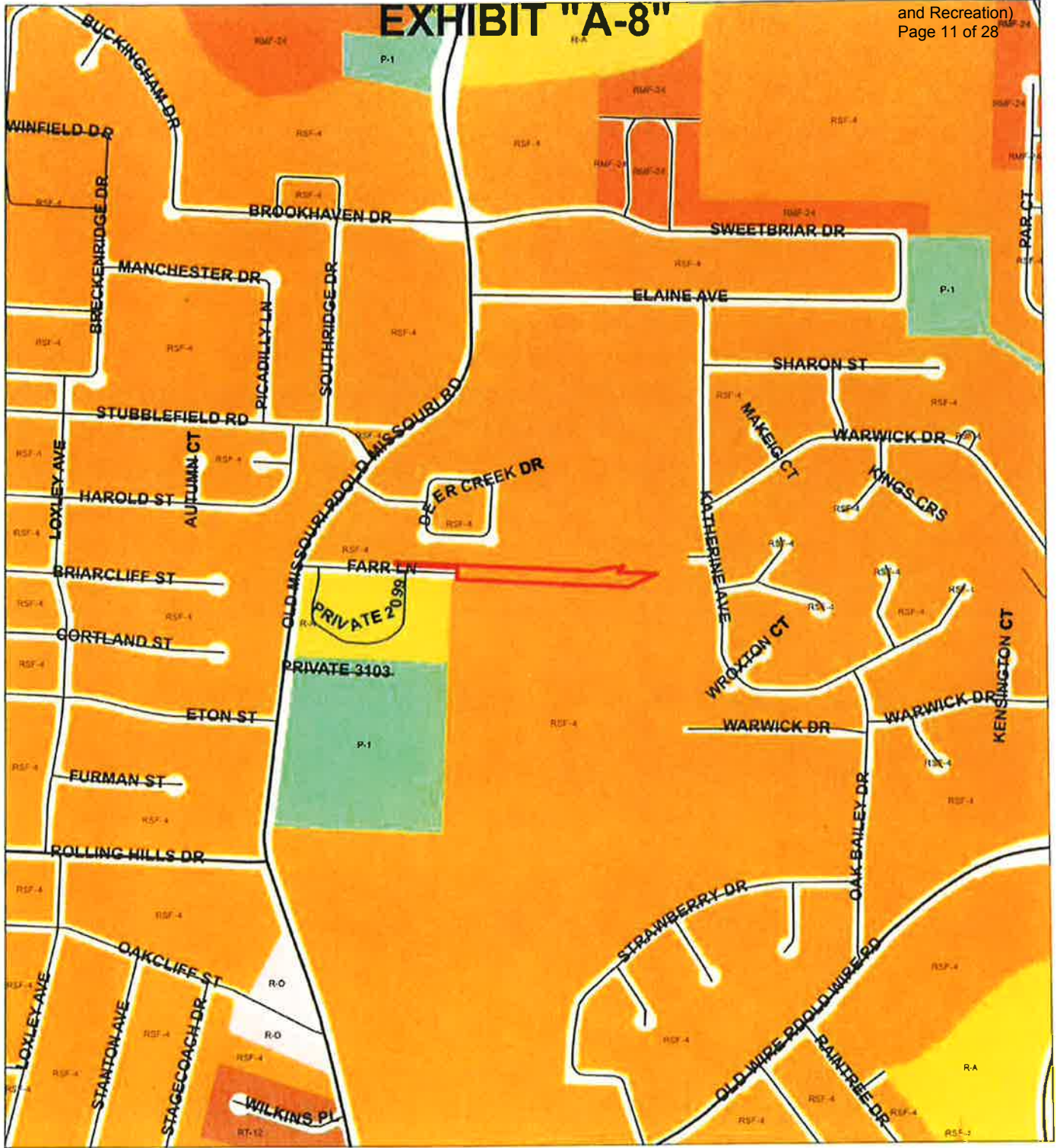


Mud Creek Trail Corridor

Legend

 Park Property

EXHIBIT "A-8"



725 362.5 0 725 Feet

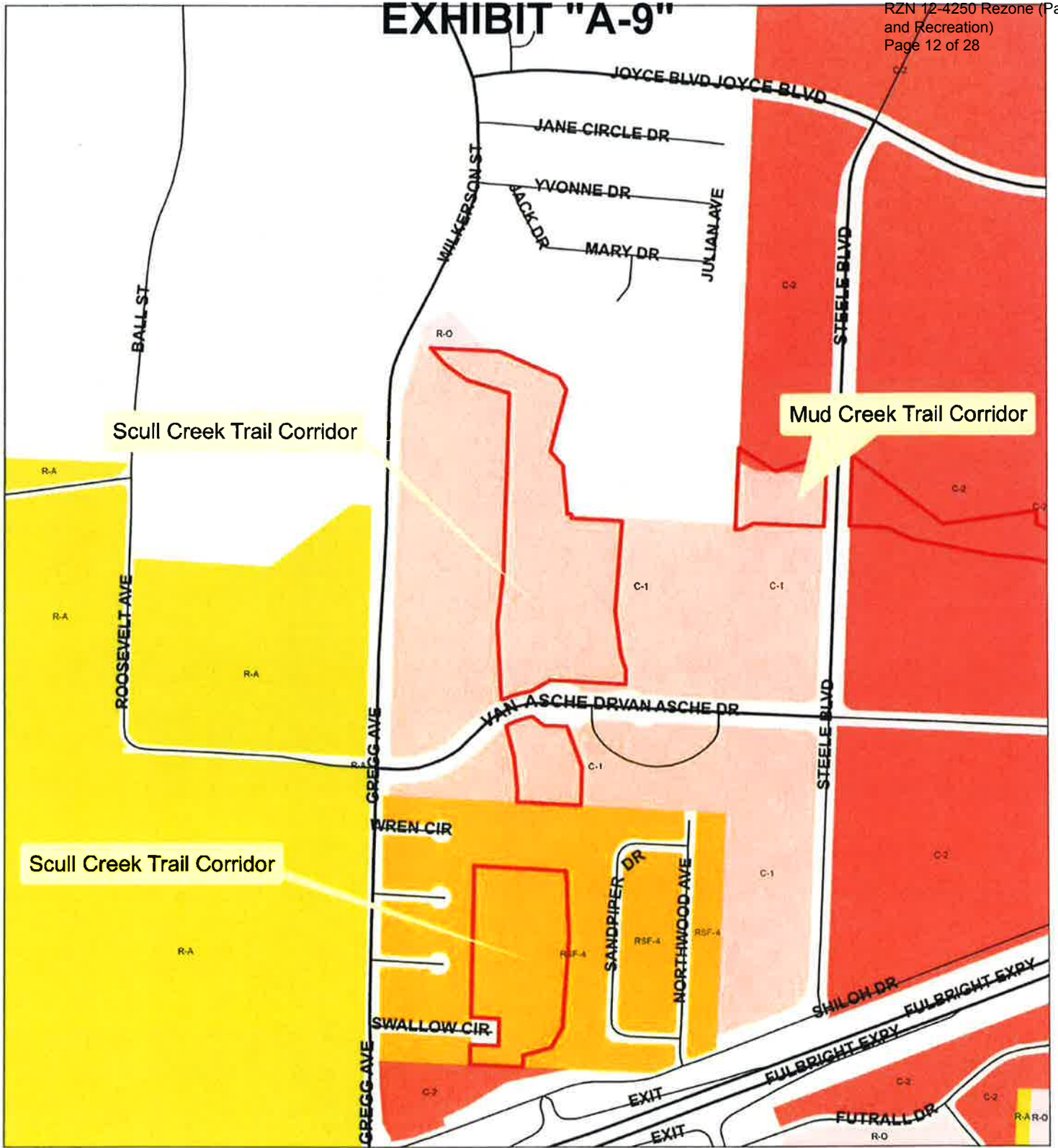


Raven Trail Corridor

Legend

 Park Property

EXHIBIT "A-9"



Scull Creek Trail Corridor

Mud Creek Trail Corridor

Scull Creek Trail Corridor

700 350 0 700 Feet

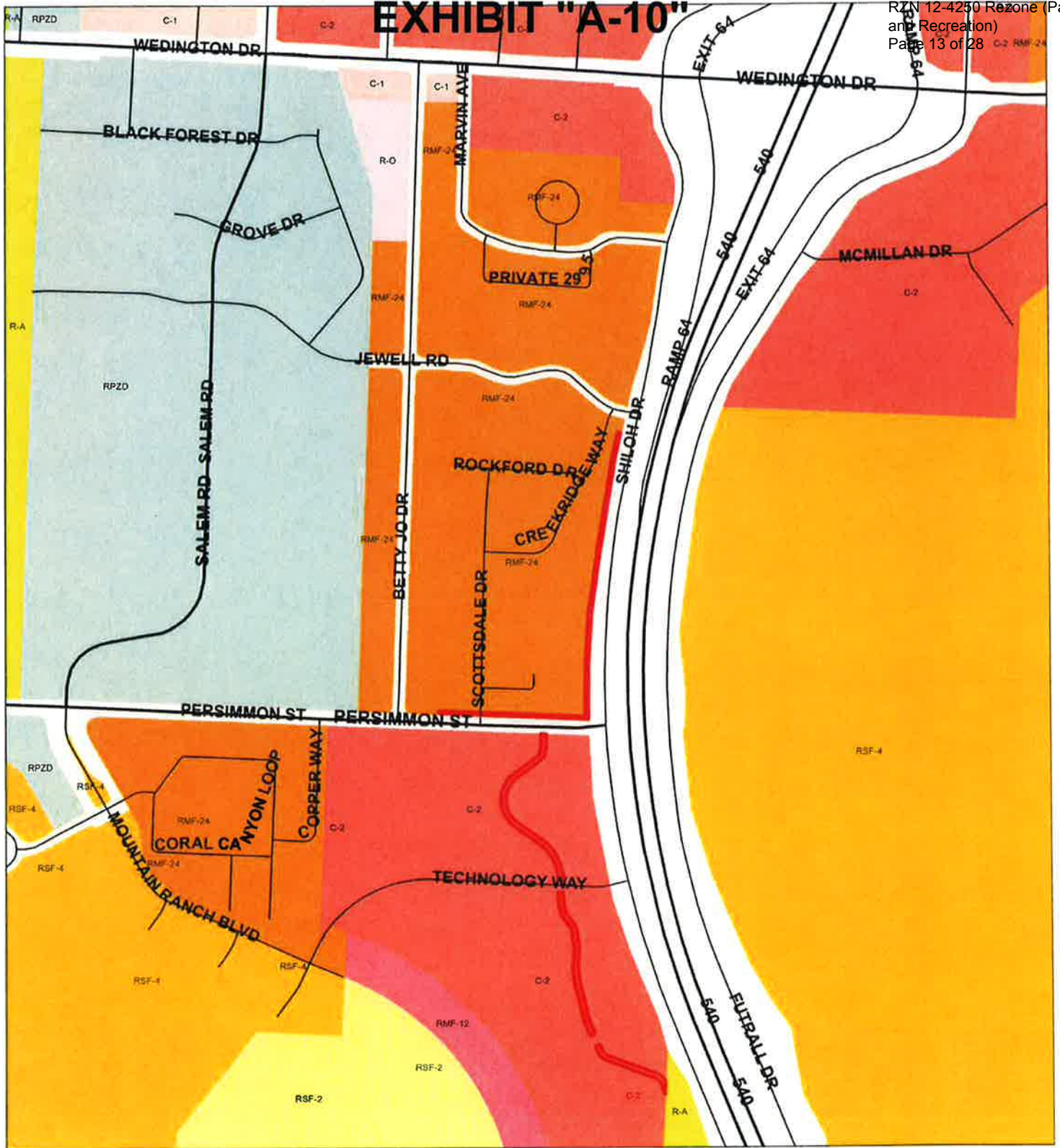
N

Scull Creek Trail Corridor

Legend

 Park Property

EXHIBIT "A-10"



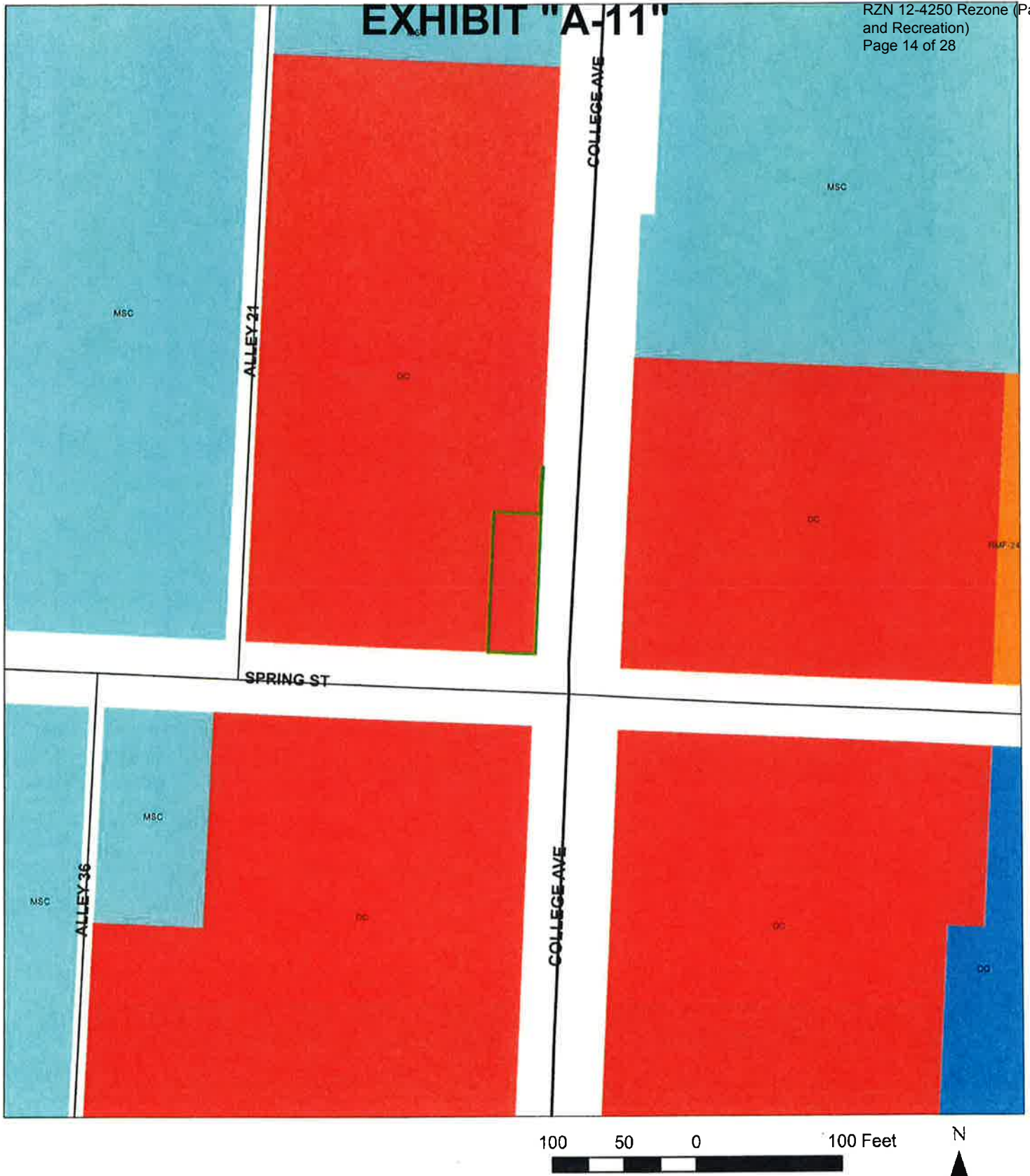
650 325 0 650 Feet



Shiloh Trail Corridor

Legend

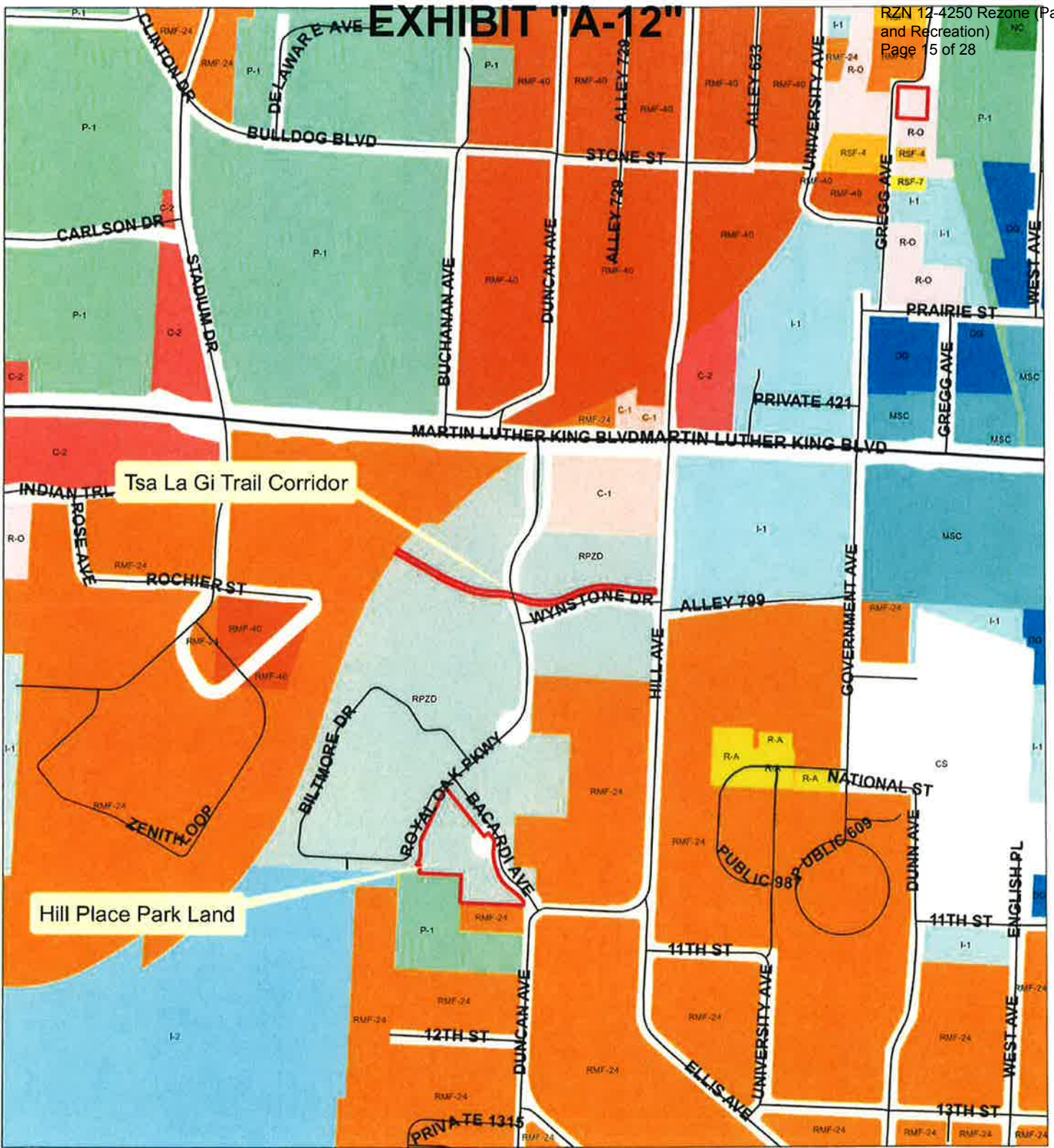
 Park Property



Spring Street Pocket Park

Legend

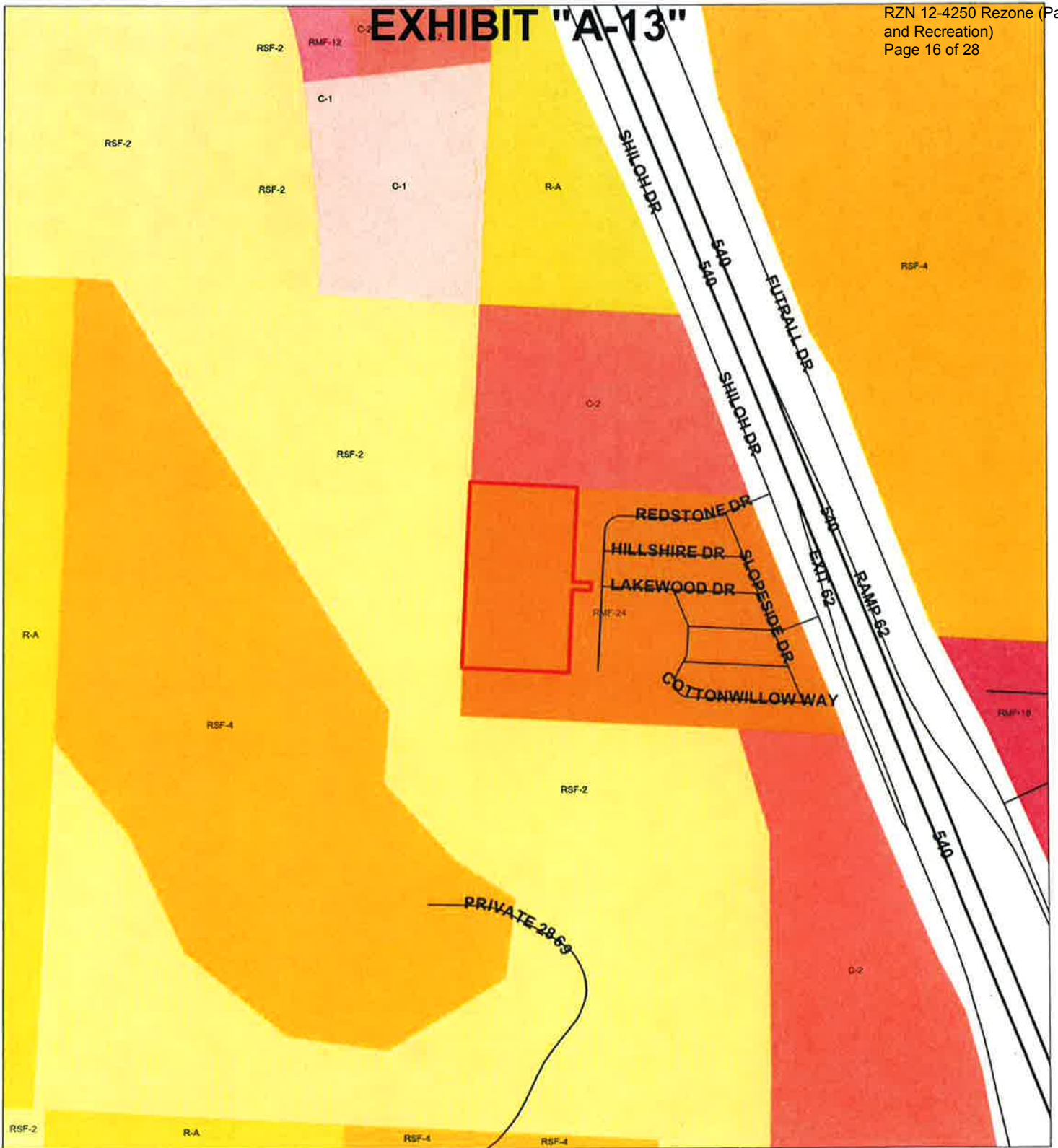
 Park Property



Tsa La Gi Trail Corridor

Legend

 Park Property



510 255 0 510 Feet

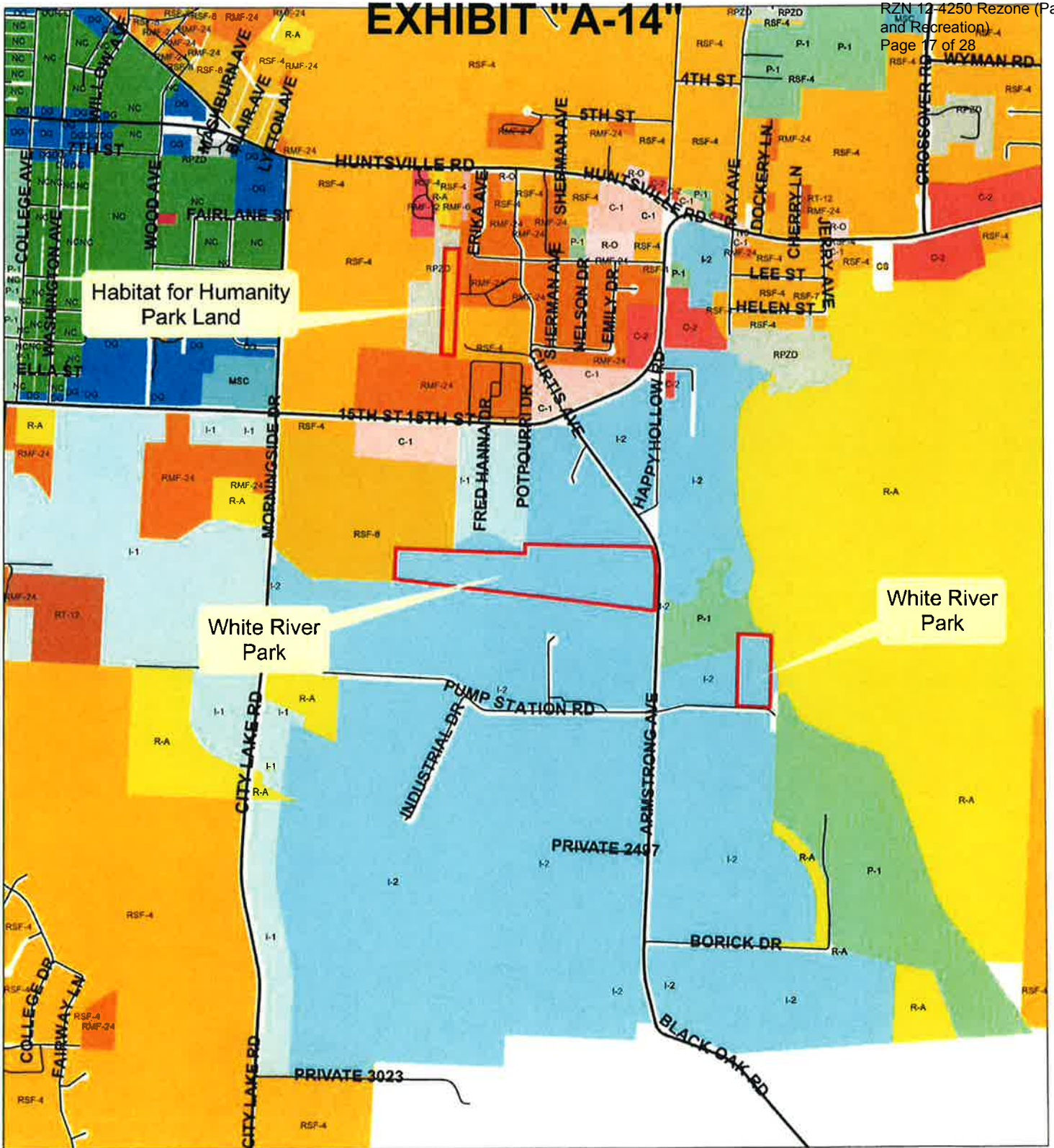


Village at Shiloh Park Land

Legend

 Park Property

EXHIBIT "A-14"



1,500 750 0 1,500 Feet



White River Park

Legend

 Park Property

EXHIBIT "B"
Parks Rezoning Request
October 2012

EXHIBIT	PARK NAMES	CURRENT ZONING	ADDRESS	ACREAGE	DEED NUMBER(S)
A-1	Brooks-Hummel Nature Preserve	RSF-4	Hillcrest Avenue	13.750	2007-00024964
A-2	Bryce Davis (the Links)	R-PZD	1595 N. Dartmouth Ave.	16.950	2008-00002542
A-3	Gregg Avenue Natural Area	R-O	310 S. Gregg Ave.	0.308	822/975-979
A-4	Habitat for Humanity Park Land	RSF-4	Seven Hills Drive	3.594	2008-00029778
A-5	Hamestring Creek Trail Corridor (Creeks)	RSF-4	Bridgeport Drive	0.830	2009-00034247
A-6	Hill Place Park Land	R-PZD	Bacardi Ave.	1.6601	2008-00033918 and 2008-00033579
A-7	Mud Creek Trail Corridor (CMN)	C-1, C-2	Mud Creek Area	7.550	2008-00039819 and 2008-00016292
A-8	Raven Trail Corridor	RSF-4	2100 E. Farr Ln.	1.355	99/78568 and 2002-053240
A-9	Scull Creek Trail Corridor (Hoskins, CMN)	RSF-4, C-1	Scull Creek Area	23.670	2006-00048271 and 2008-00014744
A-10	Shiloh Trail Corridor (West Apts and Mountain Ranch)	C-2	N. Shiloh Dr.	1.254	2002-003870 and 2009-00004822
A-11	Spring Street Pocket Park	DC	3589 N. College Ave.	0.070	2008-00038545
A-12	Tsa La Gi Trail Corridor (Hill Place)	R-PZD	771 S. Hill Ave.	0.3532	2008-00033918
A-13	Village at Shiloh Park Land	RMF-24	Rolling Woods Way	4.670	2007-00043851
A-14	White River Park	R-A; I-2	West of Armstrong Avenue, 2000 E. Pump Station Rd.	34.900	2012-00011955, 464/283, 1344/058-059



PC Meeting of November 26, 2012

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, Director of Current Planning
DATE: ~~November 19, 2012~~ *Updated November 28, 2012*

RZN 12-4250: (PARKS AND RECREATION): Submitted by CITY OF FAYETTEVILLE for property located at VARIOUS LOCATIONS THROUGHOUT THE CITY. The request is to rezone 14 city parks to P-1, Institutional. Planner: Andrew Garner

BACKGROUND:

Property Description and Background: The subject property consists of 14 city-owned properties that are currently developed for, or intended to be used as future parks or trails throughout the City of Fayetteville. The underlying zoning for these properties ranges from Residential-Agricultural to General Industrial (I-2) to Residential Planned Zoning Districts (R-PZD), with a several located within the Residential Single-Family-4 Units per Acre (RSF-4) zoning district. The applicant proposes to rezone the properties listed in Appendix 1 to P-1, Institutional. When parkland is dedicated to the City the existing zoning district remains in force.

In 2002, the City Council approved the Parks and Recreation 10-Year Master Plan. A guiding policy of the Master Plan is to “*Upgrade existing and provide additional community and neighborhood parks*”. An implementation strategy of the guiding policy is to “*Develop design standards that address safety, maintenance, signage and aesthetic issues.*” As the subject properties are currently zoned, the Unified Development Code would vary the development regulations and size of signs that are consistently installed on City parkland. Further, Chapter 161.29 (A) states that the Institutional District is designed to protect and facilitate the use of property owned by larger public institutions and church related organizations and will allow cultural and recreational facilities as permitted uses. This zoning classification will better guide the development and maintenance of the City’s parks and trails.

Request: The City Parks Department requests to rezone the 14 city-owned parks and trails properties listed in Appendix 1 from the various current zoning districts to P-1, Institutional.

Public Comment: Staff has received public comment from several neighbors in the vicinity of the Madison Natural Area opposed to the rezoning. This was one of the parkland areas intended to be rezoned initially. However, because of opposition from the neighborhood the City has withdrawn the rezoning request at this time. No other public comment has been received.

INFRASTRUCTURE:

- Streets:** Not all sites have access to public rights-of-way. Street improvements will be evaluated for each park in the case of future development.
- Water:** Public water is available to a majority of the sites, if not all. Service extension will be determined for each park at the time of the development.
- Sewer:** Sanitary sewer is available to a majority of the sites, if not all. Service extension will be determined for each park at the time of the development.
- Drainage:** Standard improvements and requirements for drainage will be determined for each park at the time of development.
- Fire:** As these properties are within the Fayetteville city limits, the Fayetteville Fire Department will respond to all calls for service. Based upon past calls for service 0-1 call per year are anticipated for each park.
- Police:** The Fayetteville Police Department gave no objections to the proposed rezonings.

CITY PLAN 2030 FUTURE LAND USE PLAN:

The City Plan 2030 Future Land Use Plan designates a majority of these sites as **Civic and Private Open Space/Park Areas** as they are either existing or planned parks or trail corridor areas. Staff finds that because of the intended public recreational use and the city's ownership of these properties that the P-1 zoning is the most appropriate zoning district. The City Plan 2030, Goal 5 as adopted by the City Council states, "*We will assemble an enduring green network*". This goal supports the natural environment and recreational opportunities that contribute to our community character and quality of life. Staff finds that rezoning the proposed parks and trail corridors to the P-1 zoning district is consistent with the City's policies and goals, as well as the 10-year Parks Plan.

RECOMMENDATION:

Staff recommends forwarding the requested rezoning to the City Council based on the findings herein.

PLANNING COMMISSION ACTION:	Required	<u>YES</u>	
	<input type="checkbox"/> Approved	<input checked="" type="checkbox"/> Forwarded	<input type="checkbox"/> Denied
Motion: <u>Chesser</u>	Second: <u>Honchell</u>	Vote: <u>8-0-0</u>	
Date: <u>November 26, 2012</u>			
CITY COUNCIL ACTION:	Required	<u>YES</u>	
	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	
Date: _____			

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: Most all of these properties are designated as Civic and Private Open Space/Park Areas in the City Plan 2030 Future Land Use Plan. The proposed P-1 zoning is consistent with the City's land use planning objectives, principles and policies to provide and nurture a network of neighborhood parks, trail corridors, major parks, and recreational facilities throughout the community.

The surrounding land uses of the majority are established single and multiple family residences. The proposed P-1 zoning would allow land uses that could be incompatible with some of the surrounding residential uses. However, the proposed P-1 zoning is designed to protect and facilitate cultural and recreational facilities and impose regulations in harmony with the residential uses these facilities are intended to serve. The proposed P-1 zoning is the most appropriate zoning district for these city-owned properties intended or currently used for parks or trail uses.

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

Finding: Staff finds the proposed zoning is justified. The proposed P-1 zoning will release the City-owned properties from the unnecessary and at times adverse regulations and limitations of the existing underlying residential, commercial, industrial, and planned zoning districts and will provide uniform standards that more appropriately address and regulate future development and existing public recreational use of the subject properties. The proposed zoning will protect and facilitate the use of parks and park land owned by the City of Fayetteville.

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

Finding: It is expected that a rezoning from the various zoning districts to P-1 could potentially create an increase in traffic over the existing zoning. However, as these are all city-owned parcels for park or trail uses, the rezoning should not appreciably increase traffic danger or congestion. As future parks are developed they are required to be reviewed in accordance with typical development regulations including street improvements. Parks or trails are permitted by right in any zoning district.

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 will not create undesirable impacts to public services. Increased load on public services were taken into consideration and recommendations from Engineering, Fire, and Police Departments are included in this report.

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;

Finding: These parcels are intended to be developed and utilized as parkland and trail corridor. Rezoning will ensure that as future parks develop there are consistent regulations and would allow by right, the necessary signage, possible expansion, and improvement to each property. It is also practical and appropriate to rezone the property to P-1 to make the zoning map more consistent with the actual uses. In addition, as new parks and trail corridors enter the system, it will be a goal to rezone these properties, as appropriate.

- 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: Not applicable. Staff recommends in favor of the requested zoning.

APPENDIX I

TABLE 1: PARKS TO BE REZONED TO P-1 (INSTITUTIONAL)

	PARK NAMES	CURRENT ZONING	ADDRESS	ACREAGE
1	Brooks-Hummel Nature Preserve	RSF-4	Hillcrest Avenue	13.750
2	Bryce Davis (the Links)	R-PZD	1595 N. Dartmouth Ave.	16.950
3	Gregg Avenue Natural Area	R-O	310 S. Gregg Ave.	0.308
4	Habitat for Humanity Park Land	RSF-4	Seven Hills Drive	3.594
5	Hamestring Creek Trail Corridor (Creekside)	RSF-4	Bridgeport Drive	0.830
6	Hill Place Park Land	R-PZD	Bacardi Ave.	1.6601
7	Mud Creek Trail Corridor (CMN)	C-1, C-2	Mud Creek Area	7.550
8	Raven Trail Corridor	RSF-4	2100 E. Farr Ln.	1.355
9	Scull Creek Trail Corridor (Hoskins, CMN)	RSF-4, C-1	Scull Creek Area	23.670
10	Shiloh Trail Corridor (West Apts and Mountain Ranch)	C-2	N. Shiloh Dr.	1.254
11	Spring Street Pocket Park	DC	3589 N. College Ave.	0.070
12	Tsa La Gi Trail Corridor (Hill Place)	R-PZD	771 S. Hill Ave.	0.3532
13	Village at Shiloh Park Land	RMF-24	Rolling Woods Way	4.670
14	White River Park	R-A; I-2	West of Armstrong Avenue, 2000 E. Pump Station Rd.	34.900



Parks Rezoning Request October 17, 2012

The Fayetteville Parks and Recreation Department owns and maintains over 60 parks and park properties. When the City receives park land through the Park Land Dedication Ordinance, the majority of the properties are zoned as residential. The zoning ranges from Residential-Office (R-O) to General Industrial (I-2) for park properties that are donated to the City.

The Parks and Recreation Department is requesting to rezone the properties listed on the enclosed attachments 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 at the park facilities without obtaining Conditional Use Permits. For these reasons, the Parks and Recreation Department feels that the requested zoning will be more suitable for these properties.

Enclosed please find Attachments "A", "B" and "C". Attachment "A" illustrates the locations of the proposed park properties for this rezoning request. There are 16 park properties included in this request. Attachment "B" lists the park properties along with the current zoning(s), address(es) and deed(s). Attachment "C" is a list of the legal descriptions that was prepared by Ms. Holly Jones, one of the City's Land Agents. Ms. Jones performed extensive research on the properties to determine which deeds and plats are associated with each property. Also attached to this request are individual maps of each of the park properties with the associated deeds and county plats.



Executive Summary

Parks and Recreation Guiding Policies and Implementation Strategies

Mission Statement: To meet the parks and recreational needs of all by providing a safe and diversified park system that encourages community pride, visionary planning and operations, and environmental stewardship.

Guiding Policy: Develop a citywide trails and greenways network.

Implementation Strategies:

- A. Hire a coordinator for trails and greenways.
- B. Coordinate and administer current and future trail projects.
- C. Develop and adopt a trails and greenways master plan within one year of adoption of the Parks and Recreation Master Plan.
- D. Seek a wide variety of funding sources for enhancements to a trails and greenways network.
- E. Utilize the Park Land Dedication Ordinance for development of a trails and greenways network.
- F. Provide adequate ongoing management and maintenance resources for a trails and greenways network.

Guiding Policy: Increase park safety and accessibility.

Implementation Strategies:

- A. Enhance and expand park patrol.
- B. Incorporate current ADA standards for all renovated and new park facilities.
- C. Develop design standards that address ADA and safety issues.
- D. Improve parking and pedestrian facilities.
- E. Provide improved security and sports lighting at appropriate park locations.

Guiding Policy: Upgrade existing and provide additional community and neighborhood parks.

Implementation Strategies:

- A. Implement detailed recommendations of the Parks and Recreation Master Plan.
- B. Provide neighborhood parks within ½ mile radius of all residential areas.
- C. Provide community parks within 2 mile radius of all residential areas.
- D. Utilize the Park Land Dedication Ordinance for adding new community and neighborhood parks.
- E. Use existing funding and seek alternative funding sources for land acquisition and park upgrades.
- F. Provide adequate management and maintenance resources for a continuous commitment to the highest level of quality service for community and neighborhood parks.
- G. Develop design standards that address safety, maintenance, signage and aesthetic issues.

- 1 BROOKS-HUMMEL NATURE PRESERVE
- 2 BRYCE DAVIS PARK
- 3 GREGG AVENUE NATURAL AREA
- 4 HABITAT FOR HUMANITY PARK LAND
- 5 HAMESTRING CREEK TRAIL CORRIDOR
- 6 HILL PLACE PARK LAND
- 7 MUD CREEK TRAIL CORRIDOR
- 8 RAVEN TRAIL CORRIDOR
- 9 SCULL CREEK TRAIL CORRIDOR
- 10 SHILOH TRAIL CORRIDOR
- 11 SPRING STREET POCKET PARK
- 12 TSA LA GI TRAIL CORRIDOR
- 13 VILLAGE AT SHILOH PARK LAND
- 14 WHITE RIVER PARK

Legend

- City of Fayetteville
- Parks
- Zoning
- RESIDENTIAL SINGLE-FAMILY
 - Residential-Agricultural
 - RSF-.5
 - RSF-1
 - RSF-2
 - RSF-4
 - RSF-7
 - RSF-8
- RESIDENTIAL MULTI-FAMILY
 - RT-12 Residential Two and Three-family
 - RMF-5
 - RMF-12
 - RMF-18
 - RMF-24
 - RMF-40
- INDUSTRIAL
 - I-1 Heavy Commercial and Light Industrial
 - I-2 General Industrial
- EXTRACTION
 - E-1
- COMMERCIAL
 - Residential-Office
 - C-1
 - C-2
 - C-3
- FORM BASED DISTRICTS
 - Downtown Core
 - Urban Thoroughfare
 - Main Street Center
 - Downtown General
 - Community Services
 - Neighborhood Services
 - Neighborhood Conservation
- PLANNED ZONING DISTRICTS
 - Commercial, Industrial, Residential
 - INSTITUTIONAL
 - P-1

CITY OF FAYETTEVILLE PARKS REZONING REQUEST

ATTACHMENT "A"

