

City Council Agenda Items
and
Contracts, Leases or Agreements

12/18/2012

City Council Meeting Date
Agenda Items Only

Jesse Fulcher

Submitted By

Planning

Division

Development Services

Department

Action Required:

RZN 12-4253: Rezone (1932 AND 2052 S. GARLAND AVE./LIFESOURCE, 600): Submitted by the CITY OF FAYETTEVILLE for property located at 1932 AND 2052 SOUTH GARLAND AVENUE. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY AND I-1, HEAVY COMMERCIAL AND LIGHT INDUSTRIAL and contains approximately 3.64 acres. The request is to rezone the subject property 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

Ch. for Jeremy Pate
Department Director

Date

Previous Ordinance or Resolution #

[Signature]
City Attorney

Date

Original Contract Date:

Original Contract Number:

Nov 30, 2012

Paul a. Becher
Finance and Internal Services Director

Date

Received in City Clerk's Office
11-30-12 11:19 RCVD
Kevin G.

[Signature]
Chief of Staff

Date

Received in Mayor's Office
11/30/12
[Signature]

12/3/12

[Signature]
Mayor

Date

Comments:



www.accessfayetteville.org

CITY COUNCIL AGENDA MEMO

To: Mayor Jordan, City Council
Thru: Don Marr, Chief of Staff
Jeremy Pate, Development Services Director
From: Jesse Fulcher, Current Planner
Date: November 30, 2012
Subject: RZN 12-4253 (1932 & 2052 S. GARLAND/LIFE SOURCE - CITY OF FAYETTEVILLE)

REQUEST

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

BACKGROUND

The subject property is located just east of Garland Avenue and north of Cato Springs Road, with access to the buildings provided by a shared driveway. There are two buildings on the site. The northern building is occupied by Head Start, who has been operating on the property since the early 1980's. The southern building has been used by a variety of non-profit groups and is currently occupied by Life Source, a non-profit organization based in Fayetteville that provides programs and services for families in need.

The City of Fayetteville is requesting to rezone the property from Residential Single-family and Industrial to P-1, Institutional. The reason for the request is to allow the organizations an opportunity to construct a joint identification sign that will better inform the public of their respective locations.

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 THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 12-4253, FOR APPROXIMATELY 3.64 ACRES, LOCATED AT 1932 AND 2052 SOUTH GARLAND AVENUE FROM RSF-4, RESIDENTIAL SINGLE-FAMILY, 4 UNITS PER ACRE AND I-1, HEAVY COMMERCIAL AND LIGHT INDUSTRIAL, 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 property from RSF-4, Residential Single-Family, 4 units per acre and I-1, Heavy Commercial and Light Industrial to P-1, Institutional, 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.

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

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

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

EXHIBIT "A"

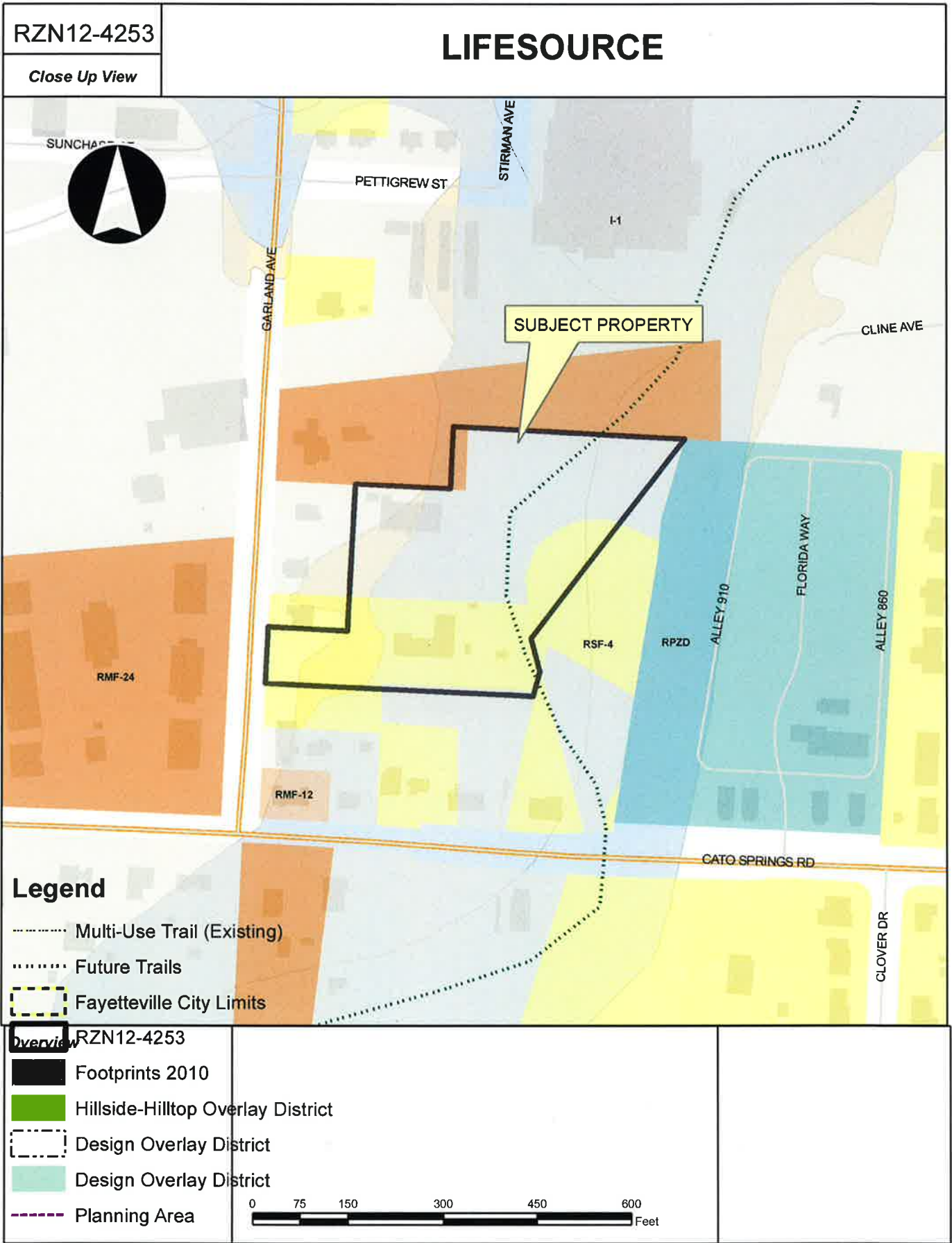


EXHIBIT "B"
RZN 12-4253

PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 16 NORTH, RANGE 30 WEST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO WIT:

BEGINNING AT A POINT 235 FEET NORTH OF THE SOUTH-WEST CORNER OF SAID 20 ACRE TRACT, AND RUNNING, THENCE NORTH 90 FEET; THENCE EAST 150 FEET; THENCE NORTH 235 FEET THENCE EAST 150 FEET; THENCE NORTH 100 FEET; THENCE EAST 370 FEET; THENCE SOUTH 34 DEGREES 52 MINUTES WEST 402.2 FEET; THENCE SOUTH 18 DEGREES 26 MINUTES EAST 59.8 FEET; THENCE SOUTH 12 DEGREES 30 MINUTES WEST 30 FEET; MORE OR LESS, TO THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO ARDEAN FALLWELL, ET UX, IN DEED RECORD 887 AT PAGE 97 OF THE RECORDS OF WASHINGTON COUNTY, ARKANSAS, THENCE WEST 450 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.



PC Meeting of November 26, 2012

THE CITY OF FAYETTEVILLE, ARKANSAS

PLANNING DIVISION CORRESPONDENCE

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

TO: Fayetteville Planning Commission
FROM: Jesse Fulcher, Current Planner
THRU: Jeremy Pate, Development Services Director
DATE: ~~November 21, 2012~~ Updated November 30, 2012

RZN 12-4253: Rezone (1932 AND 2052 S. GARLAND AVE./LIFESOURCE, 600): Submitted by the CITY OF FAYETTEVILLE for property located at 1932 AND 2052 SOUTH GARLAND AVENUE. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY AND I-1, HEAVY COMMERCIAL AND LIGHT INDUSTRIAL and contains approximately 3.64 acres. The request is to rezone the subject property to P-1, INSTITUTIONAL. Planner: Jesse Fulcher

BACKGROUND:

Property Description: The subject property is located just east of Garland Avenue and north of Cato Springs Road, with access to the buildings provided by a shared driveway. There are two buildings on the site. The northern building is occupied by Head Start, who has been operating on the property since the early 1980's. The southern building has been used by a variety of non-profit groups and is currently occupied by Life Source, a non-profit organization based in Fayetteville that provides programs and services for families in need. Surrounding land uses and zoning are shown in *Table 1*.

Table 1: Surrounding Land Use and Zoning

Direction from Site	Land Use	Zoning
North	Undeveloped	Residential Multi-family, 24 units per acre
South	Residential	Residential Single-family, 4 units per acre/Industrial
East	Undeveloped	Residential Single-family, 4 units per acre/Industrial
West	Residential	Residential Single-family, 4 units per acre/Industrial

Proposal: The City of Fayetteville is requesting to rezone the property from Residential Single-family and Industrial to P-1, Institutional. The reason for the request is to allow the organizations an opportunity to construct a joint identification sign that will better inform the public of their respective locations.

Public Comment: Staff has not received public comment.

RECOMMENDATION:

Staff recommends forwarding RZN 12-4253 to the City Council with a recommendation of approval based on findings stated herein.

PLANNING COMMISSION ACTION:	Required	<u>YES</u>
Date: <u>November 26, 2012</u>	<input checked="" type="checkbox"/> Forwarded	<input type="checkbox"/> Denied <input type="checkbox"/> Tabled
Motion: Cook	Second: Honchell	Vote: 8-0-0
CITY COUNCIL ACTION:	Required	<u>YES</u>
Date: <u>December 18, 2012</u>	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied

INFRASTRUCTURE:

Streets: The site has access to Garland Avenue, an unimproved two lane street. Street improvements will be evaluated at the time of development.

Water: There is a 6” water main along Garland Avenue. Public water main improvements may be necessary to provide fire flow and domestic service for any proposed development.

Sewer: There is a 6” main along Garland Avenue and a 30” main through the middle of the property.

Drainage: Standard improvements and requirements for drainage will be required for any development. This property is affected by the 100-year floodplain and the Streamside Protection Zones.

Police: The Fayetteville Police Department did not comment on the rezoning request.

Fire: The Fayetteville Fire Department did not comment on the rezoning request.

CITY PLAN 2030 FUTURE LAND USE PLAN: *City Plan 2030 Future Land Use Plan designates this site as a Complete Neighborhood Plan – Fayetteville Junction.*

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: Rezoning the subject property to P-1, Institutional is consistent with land use planning objectives and policies and with land use and zoning plans. The property has been owned by the City of Fayetteville for several decades and has exclusively been used by community groups. The current zoning of residential and industrial does not reflect the historic land use of the property, and the industrial zoning is inappropriate given the surrounding residential uses and adjacent floodplain of Cato Springs Branch.

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

Finding: There is currently an existing non-conforming free standing sign on the property that is used by Head Start. It is not possible to modify the existing sign to include space for Life Source without increasing the size of the sign, which can't be permitted. Rezoning the property to institutional will allow the tenants to modify the existing sign and provide space for both groups. Beyond that need, the rezoning will bring the property into conformity with the historic land use of the property.

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

Finding: The rezoning action will have no impact on the existing land uses and therefore no impact on traffic danger or congestion.

4. A determination as to whether the proposed zoning would alter the population density and thereby undesirably increase the load on public services including schools, water, and sewer facilities.

Finding: The proposed rezoning will have no affect on the population density in the near term, since there is no plan to change the land use. Therefore, an undesirable increase on public services isn't expected.

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: Not applicable. Staff is recommending approval.

October 22, 2012

City of Fayetteville, Arkansas
Planning Office
113 W. Mountain Street
Fayetteville, AR 72701

Re: Rezoning 1932 S. Garland and 2052 S. Garland Fayetteville, AR 72701

To: City of Fayetteville Planning Office

The proposed parcel number for rezoning is 765-15056-000. There are two address located within the parcel, 1932 S. and 2052 S. Garland Ave., Fayetteville, AR 72701. The current zoning is RSF4 and I1 and would be changed to P1. The current owner of the properties is the City of Fayetteville. The reason for the rezoning of this property is so that the zoning will better fit the current land use. The 1932 building is occupied by LifeSource International a local nonprofit and is currently providing counseling services out of this location. 2052 is occupied by Head Start a nonprofit that provides early education classes for low to moderate income residents. There are no foreseen changes in traffic or land use in the surrounding properties. The water and sewer lines are both six inches in diameter and are located on South Garland Ave. By rezoning this property LifeSource will be able to erect signage so that clients will be able to identify the building. There is currently no permanent signage for LifeSource at this location. The proposed zoning matches the current land use of the non profit agencies. The rezoning is needed at this time so that the zoning matches the current and future use of this location. The proposed zoning will not alter the population density, thus there will be no undesirable effects on public services. Since the properties were bought with Community Development Block Grant funds, the locations have to be used for non profit organizations that help low to moderate income citizens of the City of Fayetteville.

Thank you,

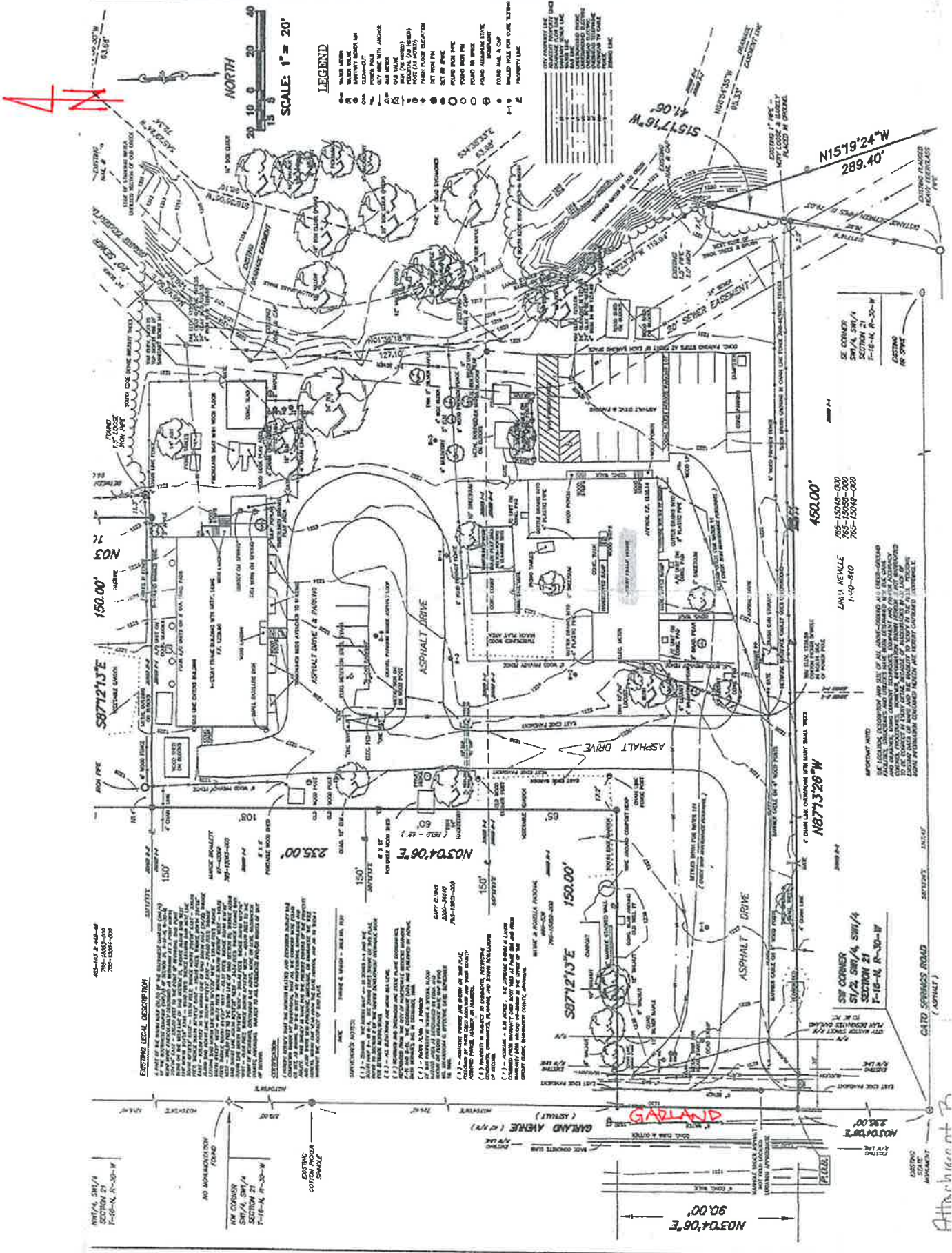
Brent Johnson
Housing Manager
City of Fayetteville
479-575-8270
bjohnson@ci.fayetteville.ar.us

FAMILY VIOLENCE CENTER
 EOA HEAD START

TOPOGRAPHIC
 SURVEY



PROVISION	



EXISTING LEGAL DESCRIPTION
 A PART OF THE SOUTHWEST CORNER OF SECTION 21, T-16-N, R-30-W, ...
 (Detailed description of the property boundary and easements.)

GENERAL NOTES
 (1) - ALL DIMENSIONS ARE IN FEET AND INCHES.
 (2) - ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE.
 (3) - ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
 (4) - ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE.
 (5) - ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
 (6) - ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE.
 (7) - ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
 (8) - ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE.

LEGEND
 - WALL (THICK LINE)
 - WINDOW (ARC WITH CENTER)
 - DOOR (ARC WITH CENTER)
 - ROOF (HATCHED)
 - CURB (THICK LINE)
 - DRIVEWAY (HATCHED)
 - EASEMENT (DOTTED LINE)
 - UTILITY LINE (DASHED LINE)
 - CONCRETE (HATCHED)
 - ASPHALT (HATCHED)
 - GRAVEL (HATCHED)
 - SAND (HATCHED)
 - SOIL (HATCHED)
 - ROCK (HATCHED)
 - TREE (CIRCLE WITH CENTER)
 - SHRUB (CIRCLE WITH CENTER)
 - FENCE (DOTTED LINE)
 - DRIVEWAY (HATCHED)
 - UTILITY LINE (DASHED LINE)
 - CONCRETE (HATCHED)
 - ASPHALT (HATCHED)
 - GRAVEL (HATCHED)
 - SAND (HATCHED)
 - SOIL (HATCHED)
 - ROCK (HATCHED)



SECTION 21
 SW/4 SW/4
 T-16-N, R-30-W

SECTION 21
 SW/4 SW/4
 T-16-N, R-30-W

SECTION 21
 SW/4 SW/4
 T-16-N, R-30-W

SECTION 21
 SW/4 SW/4
 T-16-N, R-30-W

SECTION 21
 SW/4 SW/4
 T-16-N, R-30-W

Attachment 2

RZN12-4253

LIFESOURCE

Close Up View



Legend

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

Overview

RZN12-4253

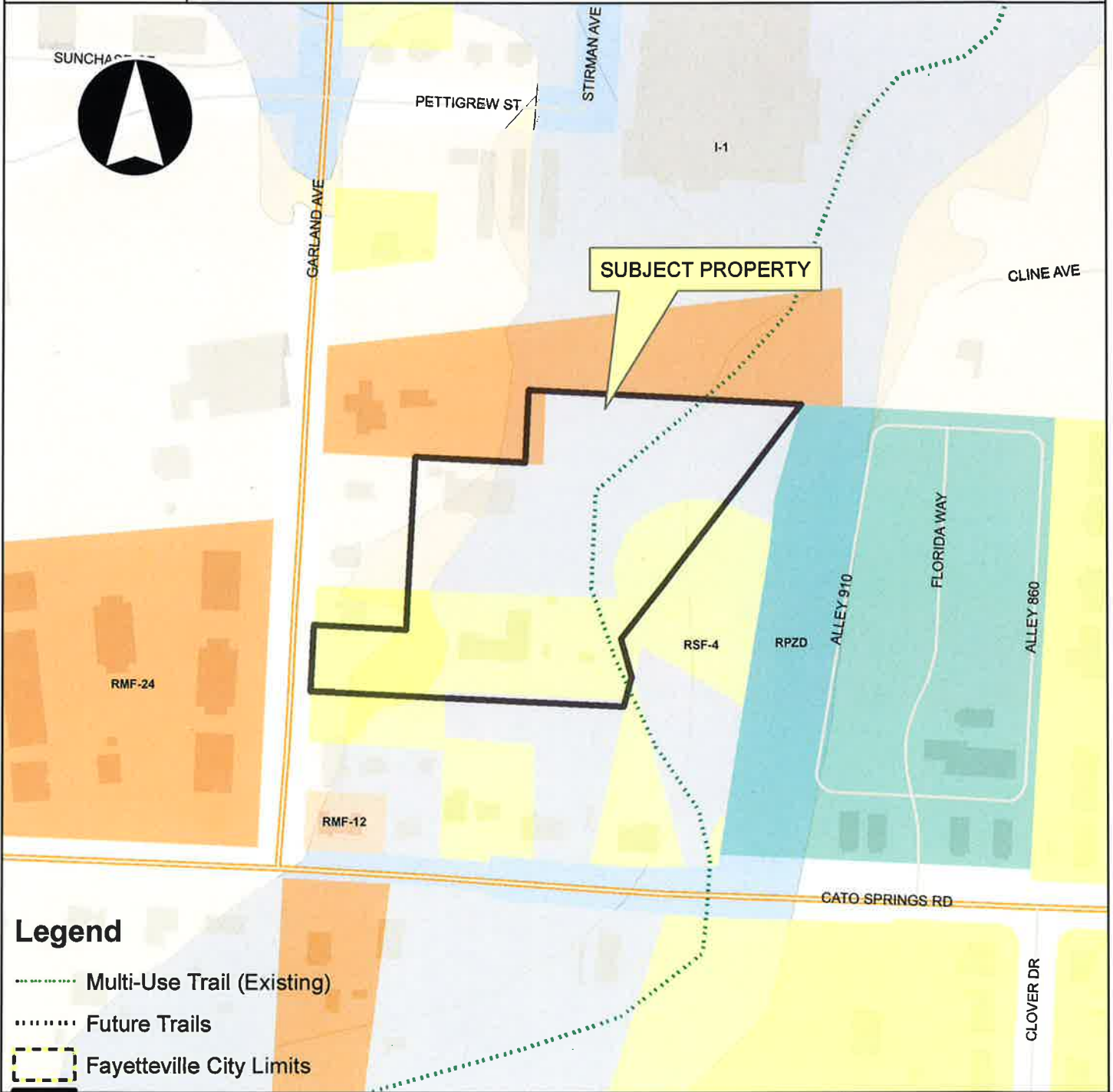
- Footprints 2010
- Hillside-Hilltop Overlay District
- Design Overlay District
- Design Overlay District
- Planning Area



RZN12-4253

LIFESOURCE

Close Up View



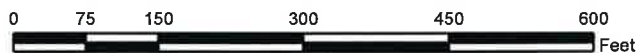
Legend

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

Overview

RZN12-4253

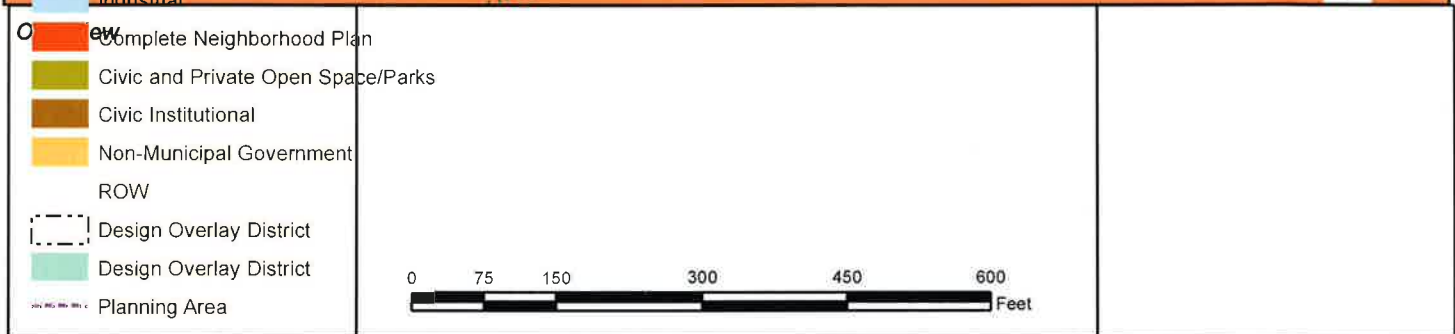
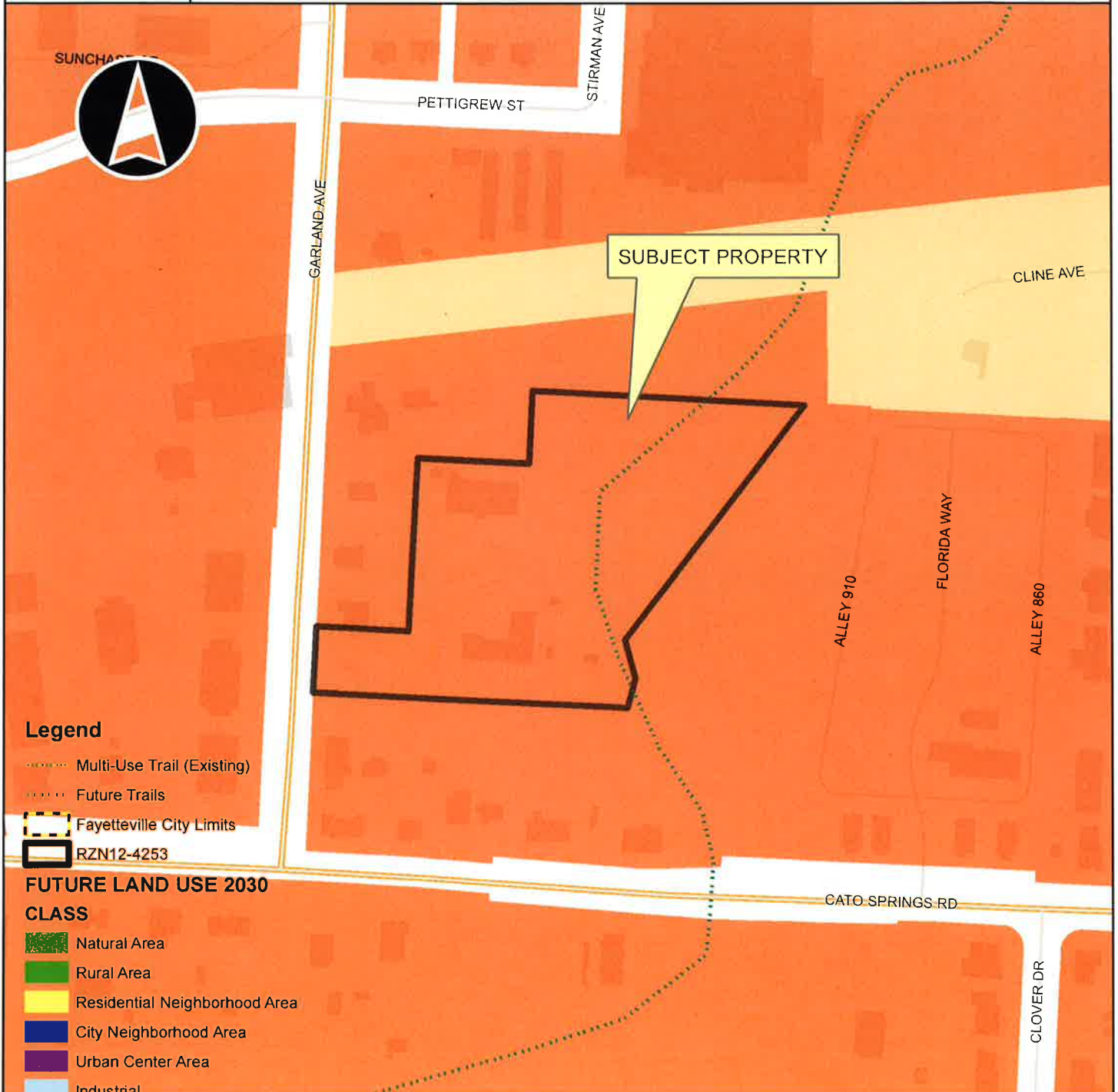
- Footprints 2010
- Hillside-Hilltop Overlay District
- Design Overlay District
- Design Overlay District
- Planning Area



RZN12-4253

LIFESOURCE

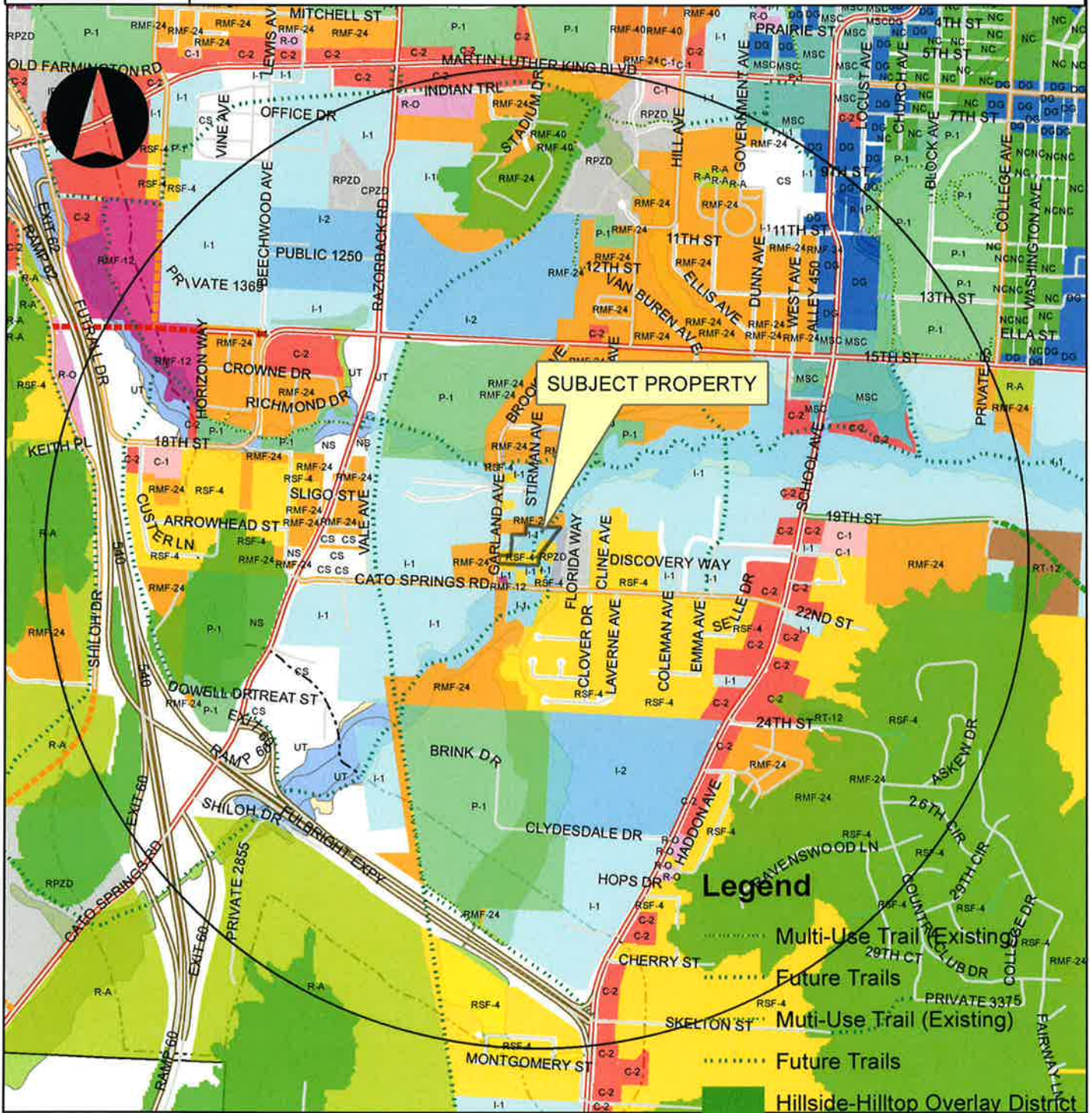
Future Land Use



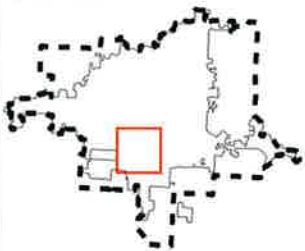
RZN12-4253

LIFESOURCE

One Mile View



Overview



Legend

Subject Property

RZN12-4253

Boundary

RZN12-4253

Design Overlay District

Planning Area

Fayetteville

0 0.25 0.5

1

Miles