

City of Fayetteville Item Review Form

2014-0008

Legistar File Number

02/04/2014

City Council Meeting Date - Agenda Item Only  
N/A for Non-Agenda Item

Quin Thompson

Submitted By

Development Services

Department

Action Required:

RZN 13-4572: Rezone (NORTHWEST CORNER OF W. WEDINGTON DRIVE AND N. RUPPLE ROAD/WEDINGTON NEIGHBORHOOD PLAN ZONE 3, 400): Submitted by CITY OF FAYETTEVILLE PLANNING DIVISION for properties located at the NORTHWEST CORNER OF W. WEDINGTON DRIVE AND N. RUPPLE ROAD. The properties are zoned R-O, RESIDENTIAL OFFICE, C-1, NEIGHBORHOOD COMMERCIAL, AND C-2, THOROUGHFARE COMMERCIAL and contain approximately 5.65 acres. The request is to rezone the properties to CS, COMMUNITY SERVICES.

Does this item have a cost?  No

|   |  |                             |
|---|--|-----------------------------|
| Cost of this request                    | Category or Project Budget                           | Program or Project Name     |
| Account Number                          | Funds Used to Date                                   | Program or Project Category |
| Project Number                          | Remaining Balance                                    | Fund Name                   |
| Budgeted Item? <input type="checkbox"/> | Budget Adjustment Attached? <input type="checkbox"/> |                             |

V20130812

Previous Ordinance or Resolution # \_\_\_\_\_  
Original Contract Number: \_\_\_\_\_  
Comments:

01-17-14 P03:35 RCVD  
ENTERED  
1/20/14  
1-19-14

Jung CPA  
Paul A. Baker  
Paula Becker for Dan Mann  
Paula Becker

## CITY COUNCIL AGENDA MEMO

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**To:** Mayor Jordan, City Council

**Thru:** Don Marr, Chief of Staff  
Jeremy Pate, Director of Development Services  
Andrew Garner, City Planning Director

**From:** Quin Thompson, Current Planner

**Date:** January 16, 2014

**Subject:** RZN 13-4572: Rezone (Wedington Dr. / ZONE 3)

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**RECOMMENDATION:** The Planning Commission and Planning Division staff recommend approval of an ordinance to rezone the property to CS, Commercial Services.

**BACKGROUND:** The subject property is located north of Wedington and west of Ruppel Road in the Wedington Corridor Master Plan Area. The properties are zoned R-O, Residential Office, C-1 Neighborhood Commercial, and C-2, Thoroughfare Commercial and contain a total of approximately 5.65 acres. The property directly at the northwest corner of Wedington Drive and Ruppel Road is developed with a gas station and convenience store, the property to the north of the gas station is an electrical contracting business; the remainder of the property is undeveloped.

*Research and Planning Process:* After adoption of the Downtown Master Plan, Walker Park Master Plan, and Fayette Junction Master Plan, the City of Fayetteville rezoned numerous properties within the project boundary to zoning districts that were consistent with the vision and goals of each plan. The Wedington Corridor Master Plan area was one of the fastest growing areas in the City of Fayetteville in the last decade, and still contains a significant amount of undeveloped land that is expected to receive increased development pressure in the near future.

When beginning the process for the rezoning proposal, Planning staff identified priority areas that are considered critical to the success of the Wedington Corridor Master Plan vision. Staff found that several of those properties were regulated by zoning districts that are not consistent with the Wedington Corridor Master Plan. Based on this information, staff determined the most appropriate zoning district(s) that would bring the properties into alignment with the Wedington Corridor Master Plan and the goals of City Plan 2030.

*Notification and Public Comment:* Planning staff sent an initial letter via certified mail to each subject property owner on October 29, 2013, summarizing the key elements of the Wedington Neighborhood Plan and describing staff's rezoning proposal for the specific property. A second letter was sent via certified mail to the property owner on December 9, 2013 repeating previously provided information and noting the January 13, 2014 hearing date, time, and location. Sample letters are included in this staff report. Planning staff received a phone call from one of the subject property owners (Rahat), who had concerns about future land use, which staff answered to the satisfaction of the caller. The property owner expressed his approval of the proposed zoning.

**LAND USE ANALYSIS:** *City Plan 2030 Future Land Use Plan designates this site as the **Complete Neighborhood Plan/Wedington Corridor Plan Area**.* The Wedington Corridor plan document and illustrative map provide a vision and a framework for transforming and taming an arterial roadway and interstate interchange while creating a more livable neighborhood that is complete and connected.

The CS zoning district is consistent with planning objectives, principles, and policies put forward in the Wedington Neighborhood Plan, which states that “The utilization of the City’s form based zoning districts will be essential to ensure that the development pattern prescribed here is walkable and urban. Form based zoning districts are also much more flexible in allowing for a variety of residential and commercial densities and intensities. This encourages a diverse mixture of building types, scales and uses that are not separated from each other but instead are co-mingled to create a unified, sustainable and cohesive whole.”

The proposed zoning is compatible and consistent with the Wedington Corridor Plan vision for this property which calls for a variety and mix of nonresidential and residential uses.

**DISCUSSION:** On January 13, 2014 the Planning Commission forwarded this item to the City Council with a recommendation of approval with a vote of 7-0-0.

**BUDGET IMPACT:** None.

**ORDINANCE NO.**

AN ORDINANCE REZONING THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 13-4572, FOR APPROXIMATELY 5.65 ACRES, LOCATED AT THE NORTHWEST CORNER OF WEST WEDINGTON DRIVE AND NORTH RUPPLE ROAD FROM R-O, RESIDENTIAL-OFFICE, C-1, NEIGHBORHOOD COMMERCIAL, AND C-2, THOROUGHFARE COMMERCIAL, TO CS, COMMUNITY SERVICES

**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 R-O, Residential-Office, C-1, Neighborhood Commercial, and C-2, Thoroughfare Commercial to CS, Community Services, as shown on Exhibit "A" 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    , 2014.

APPROVED:

ATTEST:

By: \_\_\_\_\_  
**LIONELD JORDAN**, Mayor

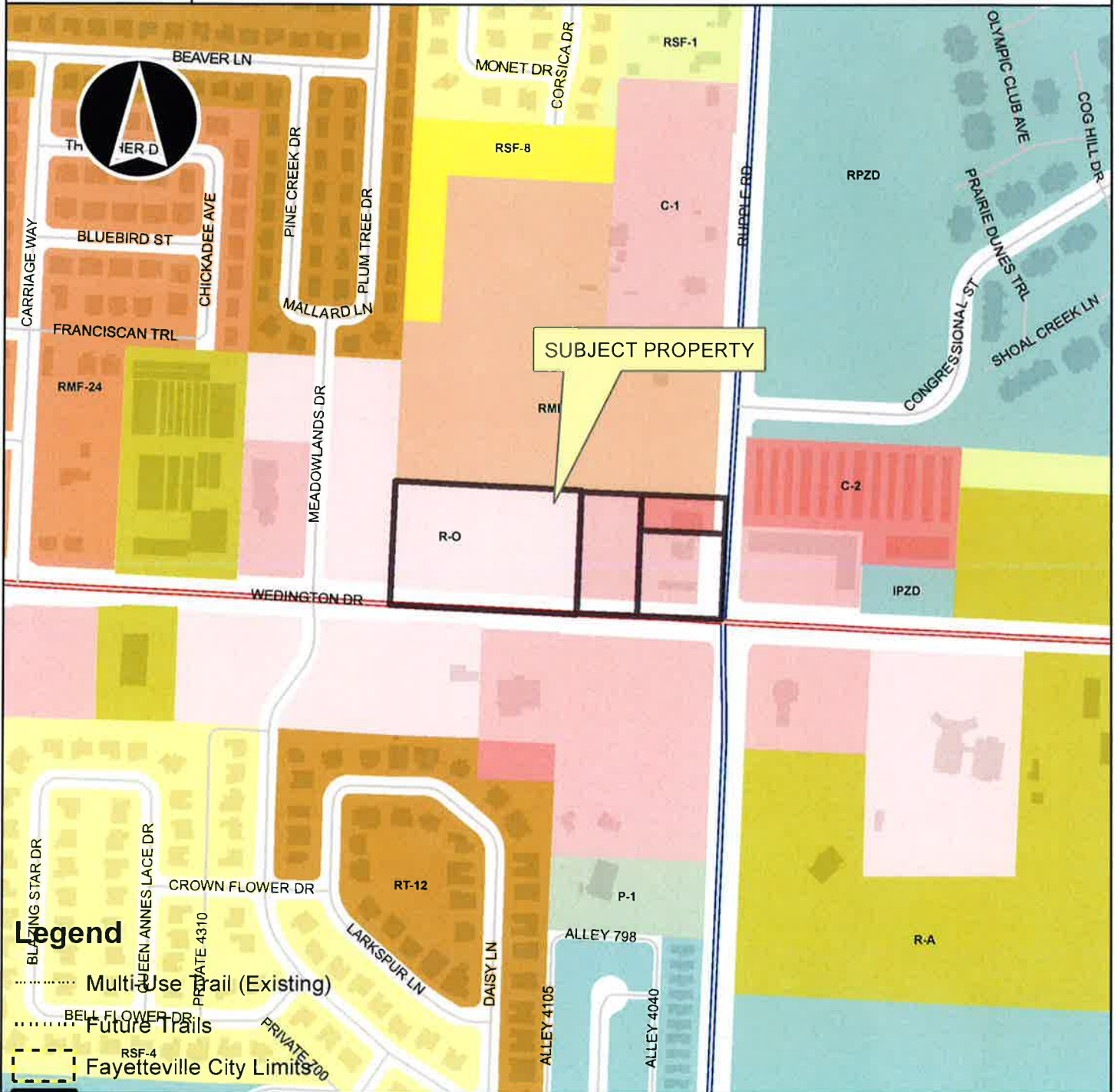
By: \_\_\_\_\_  
**SONDRA E. SMITH**, City Clerk/Treasurer

# EXHIBIT "A"

RZN13-4572

## WEDINGTON NEIGHBORHOOD PLAN ZN 3

Close Up View



### Legend

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

### Overview

- RZN13-4572
- Footprints 2010
- Hillside-Hilltop Overlay District
- Design Overlay District
- Design Overlay District
- Planning Area





PC Meeting of January 13, 2014

THE CITY OF FAYETTEVILLE, ARKANSAS

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

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**PLANNING DIVISION CORRESPONDENCE**

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TO: Fayetteville Subdivision Committee  
FROM: Quin Thompson, Current Planner  
THRU: Andrew Garner, Planning Director  
DATE: ~~December 19, 2013~~ UPDATED January 16, 2014

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**RZN 13-4572: Rezone (NORTHWEST CORNER OF W. WEDINGTON DRIVE AND N. RUPPLE ROAD/WEDINGTON NEIGHBORHOOD PLAN ZONE 3, 400):** Submitted by CITY OF FAYETTEVILLE PLANNING DIVISION for properties located at the NORTHWEST CORNER OF W. WEDINGTON DRIVE AND N. RUPPLE ROAD. The properties are zoned R-O, RESIDENTIAL OFFICE, C-1, NEIGHBORHOOD COMMERCIAL, AND C-2, THOROUGHFARE COMMERCIAL and contain approximately 5.65 acres. The request is to rezone the properties to CS, COMMUNITY SERVICES.

Planner: Quin Thompson

**BACKGROUND:**

*Property and Background:* The subject property is located north of Wedington and west of Ruppel Road. The properties are zoned R-O, Residential Office, C-1 Neighborhood Commercial, and C-2, Thoroughfare Commercial and contain a total of approximately 5.65 acres. The property directly at the northwest corner of Wedington Drive and Ruppel Road is developed with a gas station and convenience store, the property to the north of the gas station is an electrical contracting business; the remainder of the property is undeveloped. Surrounding land use and zoning is depicted on *Table 1*.

*Wedington Neighborhood:* Since 2006, The City's comprehensive land use plan (currently known as City Plan 2030) has set a goal of using a charrette process to generate a complete neighborhood plans or corridor plans on a regular basis for key areas of the City. These plans were intended to incorporate key principles of City Plan 2025, including appropriate infill and revitalization, traditional neighborhood development, growing a livable transportation network, assembling an enduring green network, and attainable housing. On Thursday, October 25, 2012, the City of Fayetteville began the planning process for the Wedington Corridor Neighborhood Master Plan, a complete neighborhood plan that incorporates the key principles, goals, and objects of City Plan 2030. During the week of October 25 through November 1, 2012, more than 100 citizens offered input on the vision for the Wedington Corridor Neighborhood Master Plan area during a charrette process that included a hands-on design session, an open design studio, and a work-in-progress session.

Through this collaborative process, Wedington Corridor is envisioned as an area that integrates the built and natural environment to encourage this area to develop as a complete, compact and connected neighborhood with civic, residential and commercial uses. The vision document

provides implementations steps for the near-term (0-5 years) and long-term (5-20 years). One of the first short-term goals identified as crucial for the implementation of the Wedington Corridor Plan vision is a city-initiated rezoning in key locations to enable development in traditional form and to enhance opportunities for protection of the natural environment, responsible growth, and revitalization within the area. The Illustrative Master Plan is included in this staff report.

*Research and Planning Process:* After adoption of the Downtown Master Plan, Walker Park Master Plan, and Fayette Junction Master Plan, the City of Fayetteville rezoned numerous properties within the project boundary to zoning districts that were consistent with the vision and goals of each plan. The Wedington Corridor Master Plan area was one of the fastest growing areas in the City of Fayetteville in the last decade, and still contains a significant amount of undeveloped land that is expected to receive increased development pressure in the near future.

When beginning the planning process for the rezoning proposal, Planning staff identified priority areas that are considered critical to the success of the Wedington Corridor Master Plan vision. Staff found that several of those properties were regulated by zoning districts that are not consistent with the Wedington Corridor Master Plan. Based on this information, staff determined the most appropriate zoning district(s) that would bring the properties into alignment with the Wedington Corridor Master Plan and the goals of City Plan 2030.

*Notification and Public Comment:* Planning staff sent an initial letter via certified mail to each subject property owner, summarizing the key elements of the Wedington Neighborhood Plan and describing staff's rezoning proposal for the specific property. A second letter was sent via certified mail to the property owner repeating previously provided information and noting the public hearing date, time, and location. Sample letters are included in this staff report. Planning staff received a phone call from one of the subject property owners (Rahat), who had concerns about future land use, which staff answered to the satisfaction of the caller. The property owner expressed his approval of the proposed zoning.

Surrounding land use and zoning is depicted on *Table 1*.

**Table 1**  
**Surrounding Land Use and Zoning**

| Direction from Site | Land Use    | Zoning  |
|---------------------|-------------|---|
| North               | Undeveloped | RMF-12, Residential Multi-Family, 24 units/acre       |
| South               | Commercial  | C-1, Neighborhood Commercial/ R-O, Residential Office |
| East                | Commercial  | C-1, Neighborhood Commercial/ R-O, Residential Office |
| West                | Undeveloped | R-O, Residential Office                               |

*Request:* The applicant requests to rezone approximately 5.65 acres CS, Community Services.

**RECOMMENDATION:**

Staff recommends forwarding the rezoning request (RZN 13-4572) to the City Council with a recommendation of approval based on findings stated herein.

|  |                                   |   |
|--|-----------------------------------|---|
| <b>PLANNING COMMISSION ACTION: Required <u>YES</u></b> |                                   |   |
| <b>Date: <u>January 13, 2014</u></b>                   | <input type="checkbox"/> Tabled   | <input checked="" type="checkbox"/> Forwarded |
|  |                                   | <input type="checkbox"/> Denied               |
| <b>Motion: WINSTON</b>                                 | <b>Second: COOK</b>               | <b>Vote: 7-0-0</b>                            |
| <b>CITY COUNCIL ACTION: Required <u>YES</u></b>        |                                   |   |
|  | <input type="checkbox"/> Approved | <input type="checkbox"/> Denied               |
| <b>Date: February 04, 2014</b>                         |                                   |   |

### INFRASTRUCTURE:

- Streets:** The site has access to State Highway 16 (Wedington Drive,) a principal arterial. Wedington Drive is a four lane, fully-improved road with curb/gutter, sidewalk, and storm drainage. The site also has access to Ruppel Road, a principal arterial. Ruppel Road is a four lane, partially improved road with a turn lane at the signalized intersection of Wedington Drive. Any required improvements to adjacent streets would be determined at the time of re-development.
- Water:** Public water is available to the property. There is a 6" water main just east of the property in Ruppel Road. Additionally, there is an 8" water main that extends to the northwest corner of the westernmost parcel.
- Sewer:** Sanitary sewer is available to the site. There is a 6" sanitary sewer main that runs along the property frontage on the north side of Wedington Drive.
- Drainage:** Standard improvements and requirements for drainage will be required for any new development. This property is not affected by the 100-year floodplain or the Streamside Protection Zones.
- Fire:** The Fire Department did not express any concerns with this request.
- Police:** The Police Department did not express any concerns with this request.

**CITY PLAN 2030 FUTURE LAND USE PLAN:** *City Plan 2030 Future Land Use Plan designates this site as the **Complete Neighborhood Plan/Wedington Corridor Plan Area**. The Wedington Corridor plan document and illustrative map provide a vision and a framework for transforming and taming an arterial roadway and interstate interchange while creating a more livable neighborhood that is complete and connected.*



**WEDINGTON CORRIDOR PLAN:** Wedington Corridor Illustrative Plan, approved March 19, 2013 by the City Council, identifies an area northwest of the Ruppel Road & Wedington Drive intersection as the future ‘heart’ of the west Wedington neighborhood, and encourages a walkable residential and commercial destination that would serve as a central node in this expanding part of the City.

Wedington Corridor Plan, pg. 37:

At the [Wedington Corridor Design] charrette the public overwhelmingly expressed a desire to see a walkable urban center develop at the intersection of Wedington Drive and Ruppel Road. At this time, a number of sizable parcels of land are undeveloped northwest of this intersection. The illustrative plan envisions this area as a complete, compact and connected neighborhood with civic, residential and commercial uses. The utilization of the City’s form based zoning districts will be essential to ensure that the development pattern prescribed here is walkable and urban. Form based zoning districts are also much more flexible in allowing for a variety of residential and commercial densities and intensities. This encourages a diverse mixture of building types, scales and uses that are not separated from each other but instead are co-mingled to create a unified, sustainable and cohesive whole.

#### **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 that the proposed zone is consistent with planning objectives, principles, and policies put forward in the Wedington Neighborhood Plan, which states that “The utilization of the City’s form based zoning districts will be essential to ensure that the development pattern prescribed here is walkable and urban. Form based zoning districts are also much more flexible in allowing for a variety of residential and commercial densities and intensities. This encourages a diverse mixture of building types, scales and uses that are not separated from each other but instead are co-mingled to create a unified, sustainable and cohesive whole.”

The proposed zoning is compatible and consistent with the Wedington Corridor Plan vision for this property which calls for a variety and mix of nonresidential and residential uses.

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

**Finding:** Wedington Corridor Plan implementation: Staff finds that the proposed zoning is justified and needed as the first step of implementation for the Wedington Corridor Plan, as adopted by the Fayetteville City Council, to

allow for the continuance of the existing land uses, and to encourage the future redevelopment of specific properties in accordance with the City's planning policies and objectives.

City Plan 2030 goal number three calls for “making traditional town form the standard.” Traditional town form is identified by an urban development pattern that prioritizes an interconnected street network with buildings that are placed near the street and parking located to the side or preferably the rear of the site. Currently, the Wedington Corridor is primarily zoned utilizing suburban commercial, office and multi-family zoning districts. These zoning districts prescribe the existing suburban development pattern seen today along the corridor and it has created unintended consequences that should not be repeated going forward if the goal is to create a walkable urban core in this area. In order to encourage the desired development patterns, it is critical to implement form-based zoning codes that designed for this purpose.

The Wedington Corridor Plan indicates that this area should be planned as part of the commercial and social ‘heart’ of the wider Wedington neighborhood. The properties are currently zoned as R-O, Residential Office, and C-1, Neighborhood Commercial, and C-2, Thoroughfare Commercial. These zones do not encourage the type of development patterns envisioned within the Wedington Corridor Plan.

The proposed CS, Community Services, zoning district would allow for a variety of residential types, offices, and commercial businesses that are located adjacent to the street instead of being set back in a typical automobile-oriented development pattern that discourages pedestrian traffic and re-creates sprawling thoroughfare development as seen throughout the Wedington corridor where development has taken place in recent years. Several properties have recently been rezoned, or rezoning has been requested, within the Plan boundary that do not meet current policies and objectives. It is critical to the success of the Wedington Corridor Plan to have appropriate zoning in place before development is initiated.

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

**Finding:** The property is undeveloped land, so any development will increase traffic in the vicinity of the site. In staff's opinion, the increase in traffic will not appreciably increase traffic danger or congestion, given that all of the surrounding streets have been recently improved.

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 should not increase population density and thereby

**undesirably increase the load on public services, in staff's opinion. The expectation is that commercial development will occur on this property at some future date, which will provide goods and services to nearby residents.**

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

**Unified Development Code Chapter 161: Zoning Regulations**

**161.17 District R-O, Residential Office**

(A) *Purpose.* The Residential-Office District is designed primarily to provide area for offices without limitation to the nature or size of the office, together with community facilities, restaurants and compatible residential uses.

(B) *Uses.*

(1) *Permitted uses.*

|         |  |
|---------|--|
| Unit 1  | City-wide uses by right                |
| Unit 5  | Government facilities                  |
| Unit 8  | Single-family dwellings                |
| Unit 9  | Two-family dwellings                   |
| Unit 12 | Limited business                       |
| Unit 25 | Offices, studios, and related services |
| Unit 44 | Cottage Housing Development            |

(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 11 | Manufactured home park*                  |
| Unit 13 | Eating places                            |
| Unit 15 | Neighborhood shopping goods              |
| Unit 24 | Home occupations                         |
| Unit 26 | Multi-family dwellings                   |
| Unit 36 | Wireless communications facilities*      |
| Unit 42 | Clean technologies                       |

(C) *Density.*

|                |            |
|----------------|------------|
| Units per acre | 24 or less |
|----------------|------------|

(D) *Bulk and area regulations.*

(Per dwelling unit for residential structures)

(1) *Lot width minimum.*

|                                     |         |
|-------------------------------------|---------|
| Manufactured home park              | 100 ft. |
| Lot within a manufactured home park | 50 ft.  |
| Single-family                       | 60 ft.  |
| Two-family                          | 60 ft.  |
| Three or more                       | 90 ft.  |

(2) *Lot area minimum.*

|                                     |                |
|-------------------------------------|----------------|
| Manufactured home park              | 3 acres        |
| Lot within a manufactured home park | 4,200 sq. ft.  |
| Townhouses:                         |                |
| Development                         | 10,000 sq. ft. |
| Individual lot                      | 2,500 sq. ft.  |
| Single-family                       | 6,000 sq. ft.  |
| Two-family                          | 6,500 sq. ft.  |
| Three or more                       | 8,000 sq. ft.  |
| Fraternity or Sorority              | 1 acre         |

(3) *Land area per dwelling unit.*

|                          |                          |
|--------------------------|--------------------------|
| Manufactured home        | 3,000 sq. ft.            |
| Townhouses & apartments: |                          |
| No bedroom               | 1,000 sq. ft.            |
| One bedroom              | 1,000 sq. ft.            |
| Two or more bedrooms     | 1,200 sq. ft.            |
| Fraternity or Sorority   | 500 sq. ft. per resident |

(E) *Setback regulations.*

|  |        |
|--|--------|
| Front  | 15 ft. |
| Front, if parking is allowed between the right-of-way and the building | 50 ft. |
| Front, in the Hillside Overlay District                                | 15 ft. |
| Side   | 10 ft. |
| Side, when contiguous to a residential district                        | 15 ft. |
| Side, in the Hillside Overlay District                                 | 8 ft.  |
| Rear, without easement or alley  | 25 ft. |
| Rear, from center line of public alley                                 | 10 ft. |
| Rear, in the Hillside Overlay District                                 | 15 ft. |

(F) *Building height regulations.*

|                         |        |
|-------------------------|--------|
| Building Height Maximum | 60 ft. |
|-------------------------|--------|

*Height regulations.* Any building which exceeds the height of 20 feet shall be set back from any side boundary line of an adjacent single family district an additional distance of one foot for each foot of height in excess of 20 feet.

(G) *Building area.* On any lot, the area occupied by all buildings shall not exceed 60% of the total area of such lot.

(Code No. 1965, App. A, Art. 5(x); Ord. No. 2414, 2-7-78; Ord. No. 2603, 2-19-80; Ord. No. 2621, 4-1-80; Ord. No. 1747, 6-29-70; Code 1991, §160.041; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. 4726, 7-19-05; Ord. 4943, 11-07-06; Ord. 5079, 11-20-07; Ord 5195, 11-6-08; Ord. 5224, 3-3-09; Ord. 5312, 4-20-10; Ord. 5462, 12-6-11)

**161.18 District C-1, Neighborhood Commercial**

(A) *Purpose.* The Neighborhood Commercial District is designed primarily to provide convenience goods and personal services for persons living in the surrounding residential areas.

(B) *Uses.*

(1) *Permitted uses.*

|         |  |
|---------|--|
| Unit 1  | City-wide uses by right  |
| Unit 5  | Government Facilities  |
| Unit 13 | Eating places  |
| Unit 15 | Neighborhood shopping  |
| Unit 18 | Gasoline service stations and drive-in/drive through restaurants |
| Unit 25 | Offices, studios, and related services                           |

(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 16 | Shopping goods                           |
| Unit 34 | Liquor stores                            |
| Unit 35 | Outdoor music establishments*            |
| Unit 36 | Wireless communications facilities*      |
| Unit 40 | Sidewalk Cafes                           |
| Unit 42 | Clean technologies                       |

(C) *Density.* None.

(D) *Bulk and area regulations.* None.

(E) *Setback regulations.*

|  |        |
|--|--------|
| Front  | 15 ft. |
| Front, if parking is allowed between the right-of-way and the building | 50 ft. |
| Side   | None   |
| Side, when contiguous to a residential district                        | 10 ft. |
| Rear   | 20 ft. |

(F) *Building height regulations.*

|                         |         |
|-------------------------|---------|
| Building Height Maximum | 56 ft.* |
|-------------------------|---------|

\*Any building which exceeds the height of 20 feet shall be setback from any boundary line

of any residential district a distance of one foot for each foot of height in excess of 20 feet.

(G) *Building area.* On any lot the area occupied by all buildings shall not exceed 40% of the total area of such lot.

(Code 1965, App. A., Art. 5(V); Ord. No. 2603, 2-19-80; Ord. No. 1747, 6-29-70; Code 1991, §160.035; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. 5028, 6-19-07; Ord. 5195, 11-6-08; Ord. 5312, 4-20-10; Ord. 5339, 8-3-10; Ord. 5462, 12-6-11; Ord. 5592, 06-18-13)

**161.19 Community Services**

(A) *Purpose.* The *Community Services* district is designed primarily to provide convenience goods and personal services for persons living in the surrounding residential areas and is intended to provide for adaptable mixed use centers located along commercial corridors that connect denser development nodes. There is a mixture of residential and commercial uses in a traditional urban form with buildings addressing the street. For the purposes of Chapter 96: Noise Control, the Community Services district is a commercial zone. The intent of this zoning district is to provide standards that enable development to be approved administratively.

(B) *Uses.*

(1) *Permitted uses.*

|         |  |
|---------|--|
| Unit 1  | City-wide uses by right  |
| Unit 4  | Cultural and recreational facilities                             |
| Unit 5  | Government facilities  |
| Unit 8  | Single-family dwellings  |
| Unit 9  | Two-family dwellings   |
| Unit 10 | Three-family dwellings   |
| Unit 13 | Eating places  |
| Unit 15 | Neighborhood Shopping goods                                      |
| Unit 18 | Gasoline service stations and drive-in/drive through restaurants |
| Unit 24 | Home occupations   |
| Unit 25 | Offices, studios and related services                            |
| Unit 26 | Multi-family dwellings   |

Note: Any combination of above uses is permitted upon any lot within this zone. Conditional uses shall need approval when combined with pre-approved uses.

(2) *Conditional uses.*

|         |  |
|---------|--|
| Unit 2  | City-wide uses by conditional use permit   |
| Unit 3  | Public protection and utility facilities   |
| Unit 14 | Hotel, motel and amusement services        |
| Unit 16 | Shopping goods                             |
| Unit 17 | Transportation, trades and services        |
| Unit 19 | Commercial recreation, small sites         |
| Unit 28 | Center for collecting recyclable materials |
| Unit 34 | Liquor stores                              |
| Unit 35 | Outdoor music establishments               |
| Unit 36 | Wireless communication facilities*         |
| Unit 40 | Sidewalk Cafes                             |
| Unit 42 | Clean technologies                         |

(C) *Density. None*

(D) *Bulk and area regulations.*

(1) *Lot width minimum.*

|            |        |
|------------|--------|
| Dwelling   | 18 ft. |
| All others | None   |

(2) *Lot area minimum. None*

(E) *Setback regulations.*

|  |  |
|--|--|
| Front:   | A build-to zone that is located between 10 feet and a line 25 feet from the front property line. |
| Side and rear:   | None   |
| Side or rear, when contiguous to a single-family residential district: | 15 feet  |



(F) *Building Height Regulations.*

|                         |        |
|-------------------------|--------|
| Building Height Maximum | 56 ft. |
|-------------------------|--------|

(G) *Minimum buildable street frontage.* 50% of the lot width.

(Ord. 5312, 4-20-10; Ord. 5339, 8-3-10; Ord. 5462, 12-6-11; Ord. 5592, 06-18-13)

**161.20 District C-2, Thoroughfare Commercial**

(A) *Purpose.* The Thoroughfare Commercial District is designed especially to encourage the functional grouping of these commercial enterprises catering primarily to highway travelers.

(B) *Uses.*

(1) *Permitted uses.*

|         |  |
|---------|--|
| Unit 1  | City-wide uses by right  |
| Unit 4  | Cultural and recreational facilities                             |
| Unit 5  | Government Facilities  |
| Unit 13 | Eating places  |
| Unit 14 | Hotel, motel, and amusement facilities                           |
| Unit 16 | Shopping goods   |
| Unit 17 | Transportation trades and services                               |
| Unit 18 | Gasoline service stations and drive-in/drive through restaurants |
| Unit 19 | Commercial recreation, small sites                               |
| Unit 20 | Commercial recreation, large sites                               |
| Unit 25 | Offices, studios, and related services                           |
| Unit 33 | Adult live entertainment club or bar                             |
| Unit 34 | Liquor store   |

(2) *Conditional uses.*

|         |  |
|---------|--|
| Unit 2  | City-wide uses by conditional use permit   |
| Unit 3  | Public protection and utility facilities   |
| Unit 21 | Warehousing and wholesale                  |
| Unit 28 | Center for collecting recyclable materials |
| Unit 29 | Dance Halls                                |
| Unit 32 | Sexually oriented business                 |
| Unit 35 | Outdoor music establishments               |
| Unit 36 | Wireless communications facilities         |
| Unit 38 | Mini-storage units                         |
| Unit 40 | Sidewalk Cafes                             |
| Unit 42 | Clean technologies                         |
| Unit 43 | Animal boarding and training               |

(C) *Density.* None.

(D) *Bulk and area regulations.* None.

(E) *Setback regulations.*

|  |        |
|--|--------|
| Front  | 15 ft. |
| Front, if parking is allowed between the right-of-way and the building | 50 ft. |
| Side   | None   |
| Side, when contiguous to a residential district                        | 15 ft. |
| Rear   | 20 ft. |

(F) *Building height regulations.*

|                         |         |
|-------------------------|---------|
| Building Height Maximum | 75 ft.* |
|-------------------------|---------|

\*Any building which exceeds the height of 20 feet shall be set back from a boundary line of any residential district a distance of one foot for each foot of height in excess of 20 feet.

(G) *Building area.* On any lot, the area occupied by all buildings shall not exceed 60% of the total area of such lot.

(Code 1965, App. A., Art. 5(VI); Ord. No. 1833, 11-1-71; Ord. No. 2351, 6-2-77; Ord. No. 2603, 2-19-80; Ord. No. 1747, 6-29-70; Code 1991, §160.036; Ord. No. 4034, §3, 4, 4-15-97; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. 4727, 7-19-05; Ord. 4992, 3-06-07; Ord. 5028, 6-19-07; Ord. 5195, 11-6-08; Ord. 5312, 4-20-10; Ord. 5339, 8-3-10; 5353, 9-7-10; Ord. 5462, 12-6-11; Ord. 5592, 06-18-13)



[www.accessfayetteville.org](http://www.accessfayetteville.org)

December 02, 2013

City of Fayetteville, Development Services  
Fayetteville, AR 72701

Craig Honchell, Chair  
Planning Commission  
City of Fayetteville, Arkansas  
113 W. Mountain St  
Fayetteville, AR 72701

Re: Rezone Request-Wedington Road

Dear Planning Commission Chair,

Please accept this letter as a formal request to allow the rezoning of property located at the intersection of Wedington Road and Meadowlands Drive, from RO, Residential Office to CS, Community Services. The area has developed extensively around this property and the current zoning no longer matches City of Fayetteville planning goals and principles as adopted with the Wedington Corridor Master Plan (October 25, 2012.)

In order to implement the adopted goals of the Wedington Corridor Master Plan, planning staff is working to rezone properties within the boundaries of Master Plan area. The property is currently undeveloped, however, this area of Fayetteville has recently experienced significant development pressure which staff expects to continue.

While additional traffic can be expected with any future development, the impacted sections Wedington Road and Meadowlands Drive are fully improved and have adequate capacity to handle additional traffic impacts created by future development typical of uses allowed under CS zoning regulations.

The City Plan 2030 Future Land Use Map designates this property and surrounding properties as City Neighborhood Area.

Should any additional information be required to process this request, please do not hesitate to contact me.

Craig Honchell, Chair

Page 2

December 02

Sincerely,



Quin Thompson  
Associate Planner  
City of Fayetteville Development Services  
[gthompson@ci.fayetteville.ar.us](mailto:gthompson@ci.fayetteville.ar.us)  
479-575-8327

Cc: Jeremy Pate  
Kit Williams



[www.accessfayetteville.org](http://www.accessfayetteville.org)

November 04, 2013

Robin Zahra Rahat  
14366 Delaware Drive  
Moorpark, CA 93021

RE: Wedington Plan Rezoning

Dear Property Owner,

This letter is in reference to your property, parcel number 765-16234-000 located at the northwest corner of Wedington Drive and Ruppel Road, within the Wedington Corridor Neighborhood Master Plan area. On Thursday, October 25, 2012, the City of Fayetteville began the planning process for the Wedington Corridor Neighborhood Master Plan, a complete neighborhood plan that incorporates the key principles, goals, and objects of City Plan 2030. During the week of October 25 through November 1, 2012, more than 100 citizens offered input on the vision for the Wedington Corridor Neighborhood Master Plan area during a charrette process that included a hands-on design session, an open design studio, and a work-in-progress session.

As an initial step in the process of building this vision, planning staff will bring forward a rezoning proposal to the Planning Commission this year and propose to rezone your property (the parcels referenced above) from R-O, Residential Office, to CS, Community Services. Included in this letter are the uses and criteria for the current zoning district (R-O, Residential Office) and the proposed zoning district CS, Community Services.) Should you have any questions or concerns about this information, please contact the Planning Division at (479) 575-8237 within 30 days of your receipt of this letter to further discuss this matter with the Planning staff. Prior to the rezoning being discussed by the Planning Commission, you will receive another letter from our office notifying you of the meeting details.

Regards,

Quin Thompson  
Current Planner  
City of Fayetteville  
[qthompson@fayetteville-ar.gov](mailto:qthompson@fayetteville-ar.gov)

att: R-O Zoning District  
CS Zoning District



[www.accessfayetteville.org](http://www.accessfayetteville.org)

December 9, 2013

Robin Zahra Rahat  
14366 Delaware Drive  
Moorpark, CA 93021

Re: Wedington Corridor Neighborhood Master Plan:

Dear property owner,

This letter is in reference to your property, parcel number 765-16234-000 located at the northwest corner of Wedington and Ruppel Road within the Wedington Corridor Neighborhood Master Plan area. On Thursday, October 25, 2012, the City of Fayetteville began the planning process for the Wedington Corridor Neighborhood Master Plan, a complete neighborhood plan that incorporates the key principles, goals, and objects of City Plan 2030. During the week of October 25 through November 1, 2012, more than 100 citizens offered input on the vision for the Wedington Corridor Neighborhood Master Plan area during a charrette process that included a hands-on design session, an open design studio, and a work-in-progress session.

As an initial step in the process of building this vision, planning staff will bring forward a rezoning proposal to the Planning Commission on **January 13, 2013**, and propose to rezone your property (the parcel referenced above) from R-O, Residential Office to CS, Community Services. Please contact Quin Thompson, Current Planner, with any questions or concerns.

Project Description:

**The City of Fayetteville proposes to rezone the property described above, being within the Wedington Corridor Neighborhood Master Plan area, from R-O, Residential Office to CS, Community Services.**

Public Hearings:

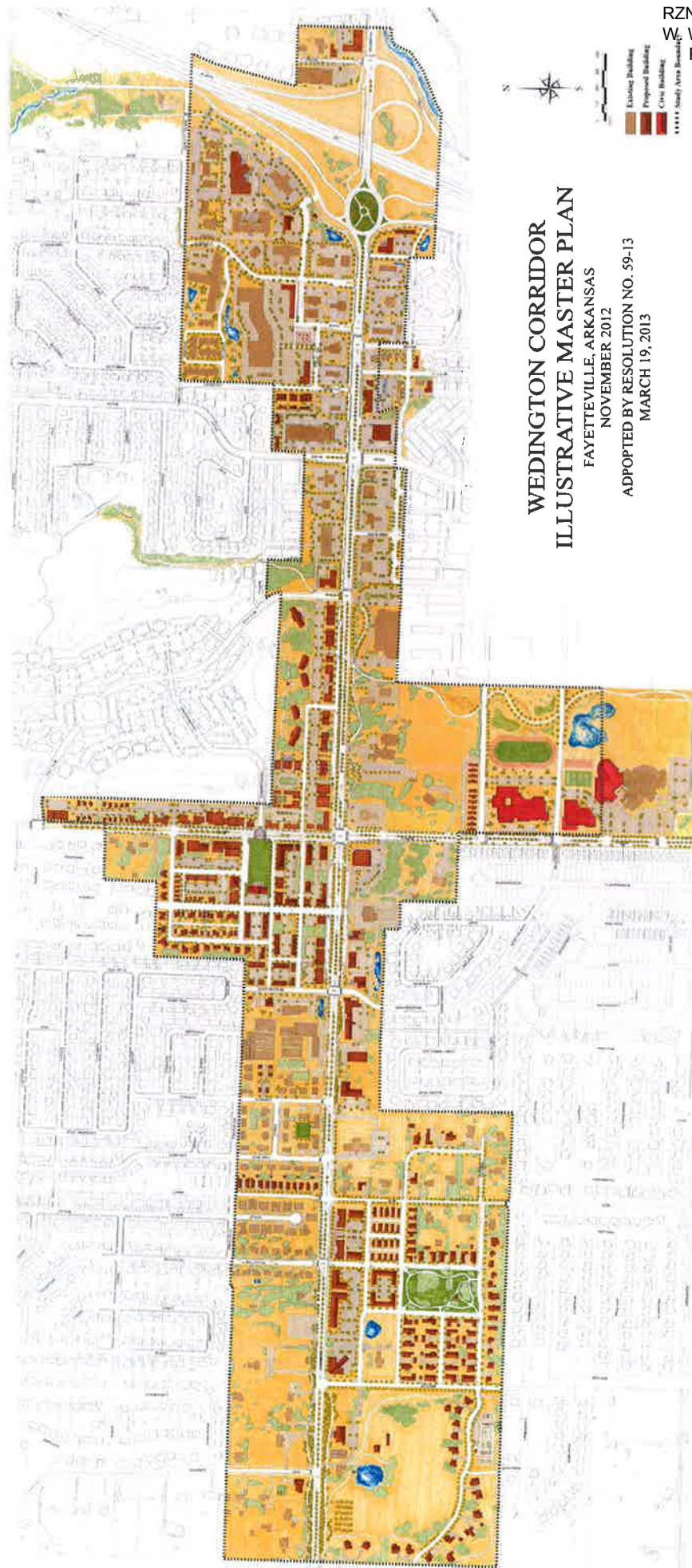
The first scheduled public hearing on the rezoning proposal is the Planning Commission meeting at 5:30 PM on January 13, 2014; 113 West Mountain Street (City Administration Building, Rm 219) Fayetteville, AR 72701.

Review Location:

Additional project information is available for public review at the City of Fayetteville Planning Division, 125 West Mountain Street, Fayetteville, AR 72701, Monday - Friday between 8:00 AM and 5:00 PM.

Regards,

Quin Thompson  
City of Fayetteville  
Phone: (479) 575-8327  
Email: [qthompson@fayetteville-ar.gov](mailto:qthompson@fayetteville-ar.gov)



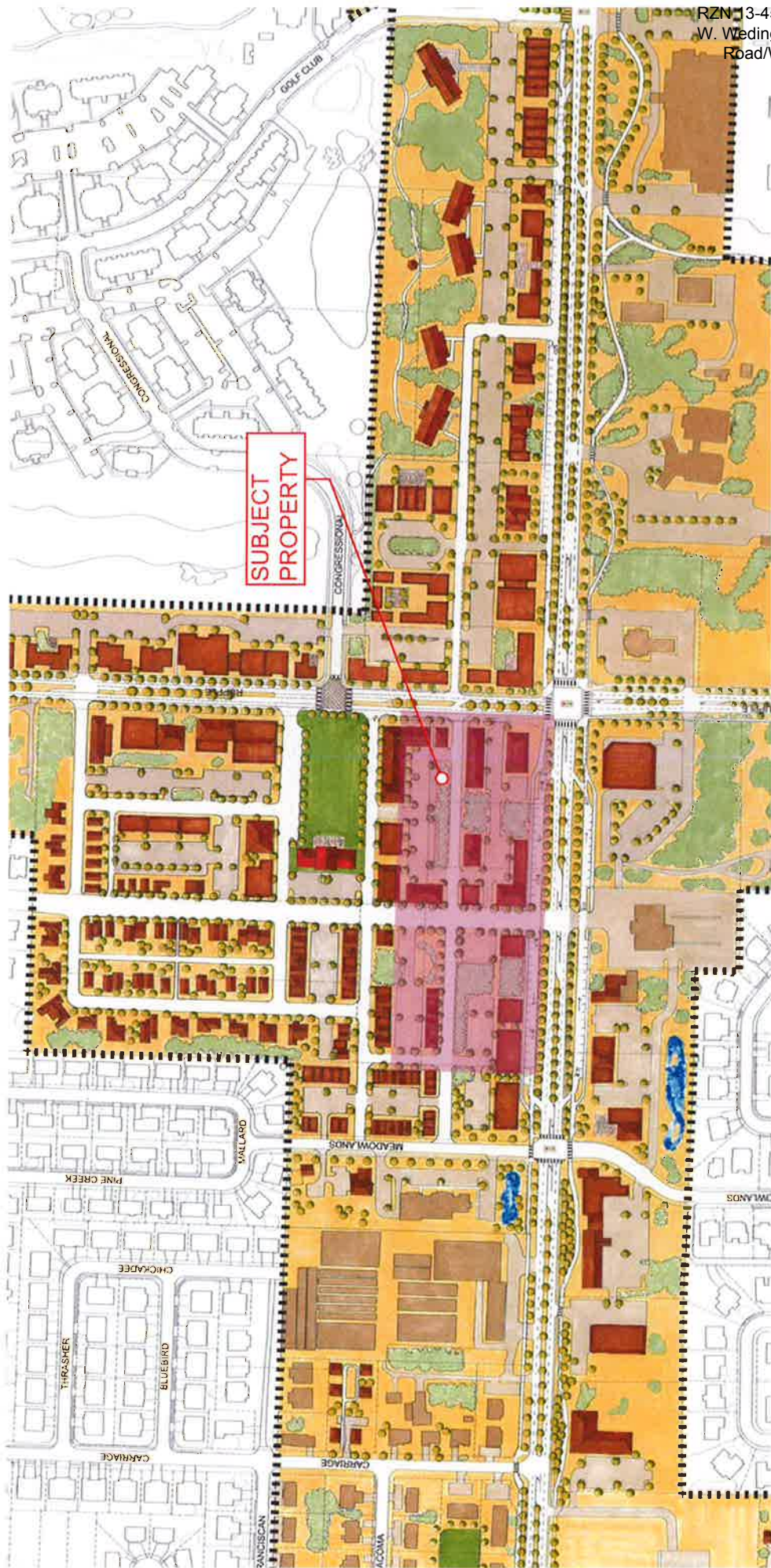
**WEDINGTON CORRIDOR  
ILLUSTRATIVE MASTER PLAN**

FAYETTEVILLE, ARKANSAS

NOVEMBER 2012

ADOPTED BY RESOLUTION NO. 59-13

MARCH 19, 2013

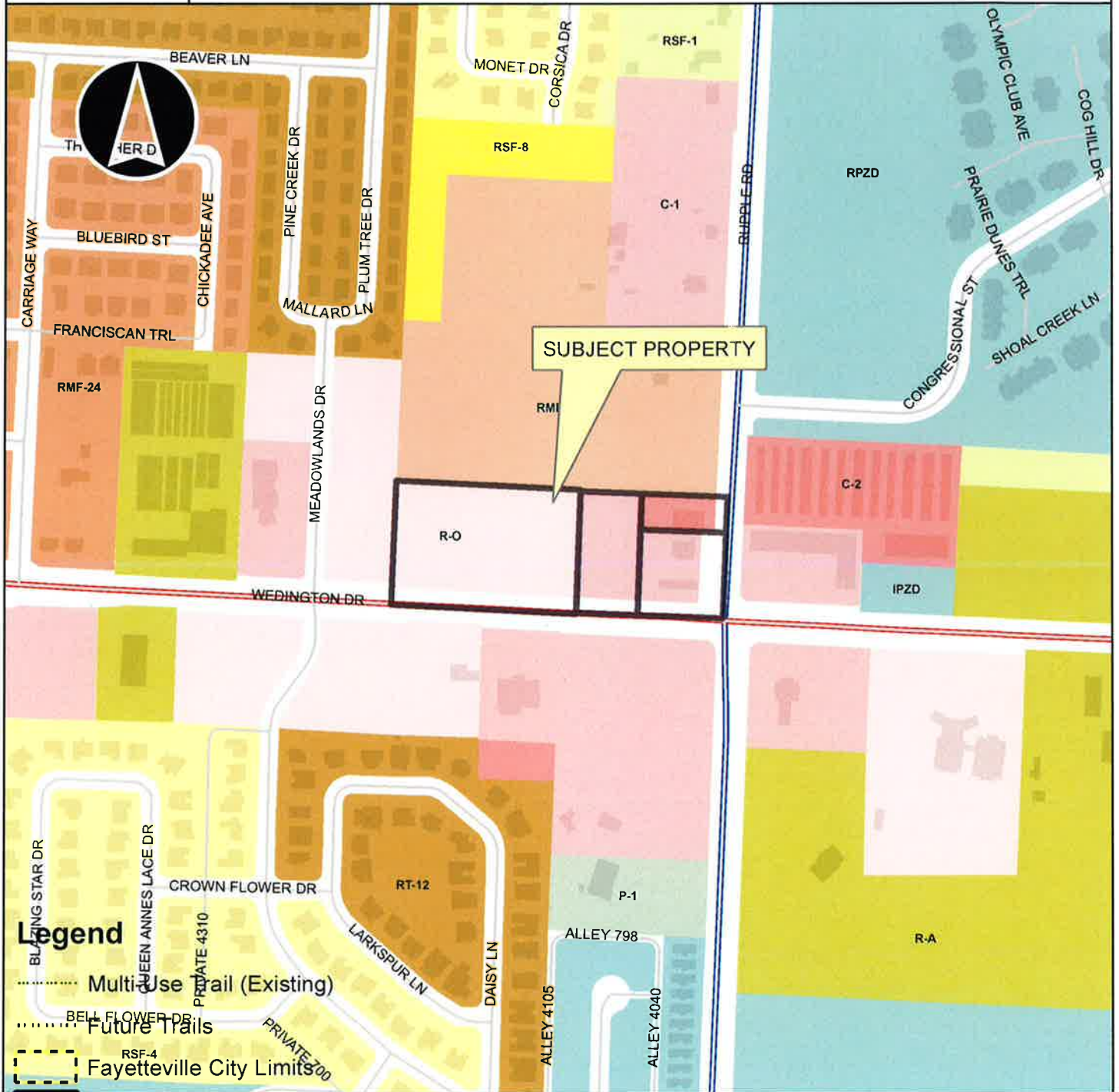




RZN13-4572

# WEDINGTON NEIGHBORHOOD PLAN ZN 3

Close Up View



## Legend

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

Overview RZN13-4572

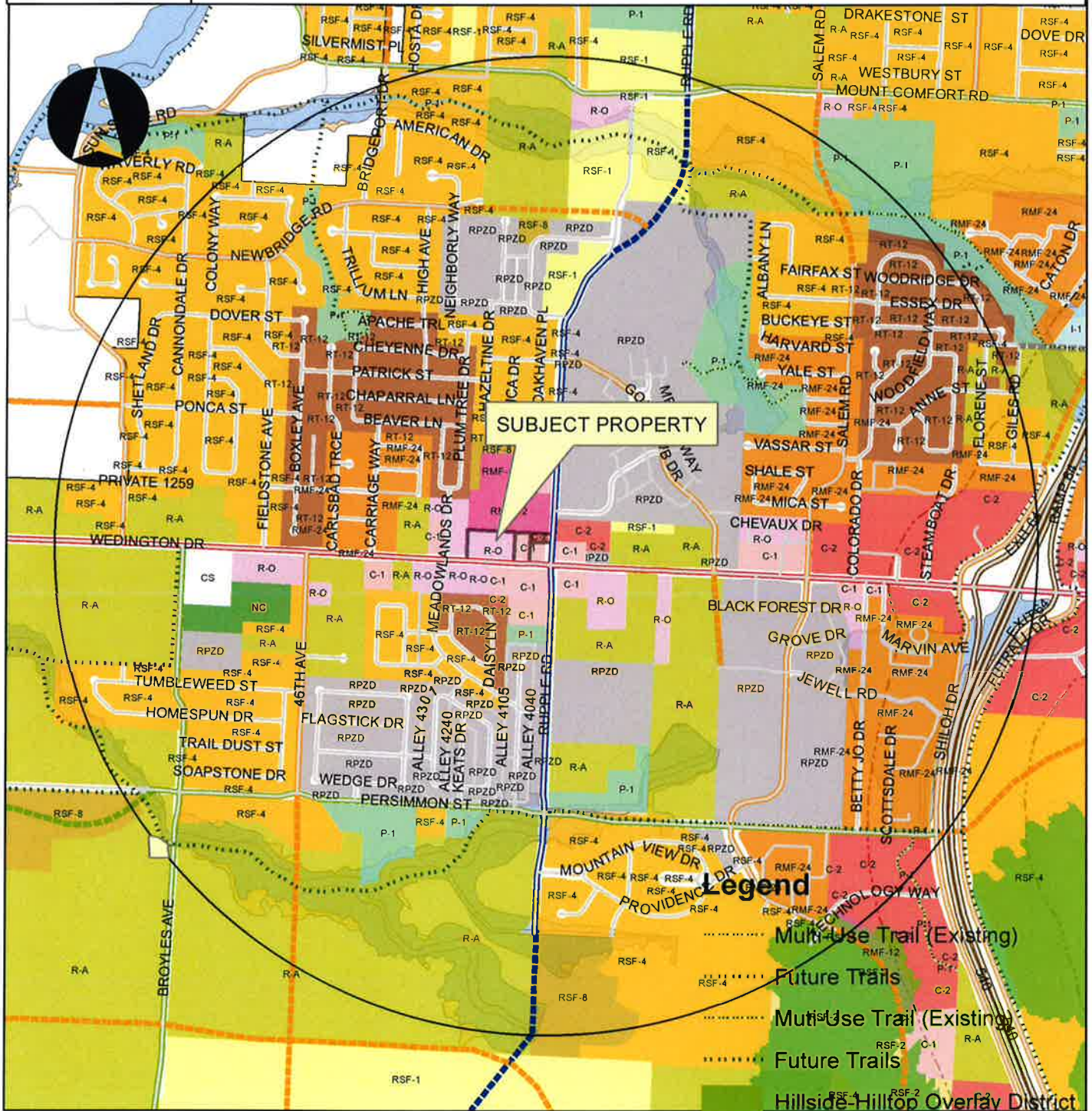
- Footprints 2010
- Hillside-Hilltop Overlay District
- Design Overlay District
- Design Overlay District
- Planning Area



RZN13-4572

# WEDINGTON NEIGHBORHOOD PLAN ZN 3

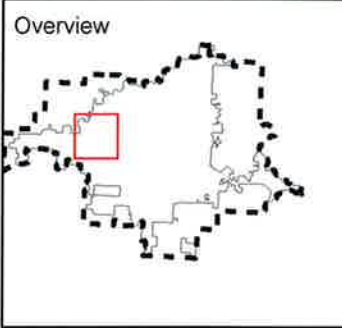
One Mile View



**SUBJECT PROPERTY**

**Legend**

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



|  |                         |   |
|--|-------------------------|---|
| <p>Legend</p> <p>Subject Property</p> <p> RZN13-4572</p> | <p>Boundary</p> <p></p> | <p> RZN13-4572</p> <p> Design Overlay District</p> <p> Planning Area</p> <p> Fayetteville</p> |
| <p>0      0.25      0.5      1</p> <p> Miles</p>         |                         |   |

RZN13-4572

# WEDINGTON NEIGHBORHOOD PLAN ZN 3

Current Land Use



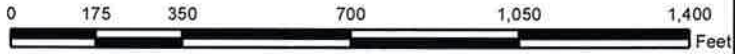
**Legend**

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

**Overview**

RZN13-4572

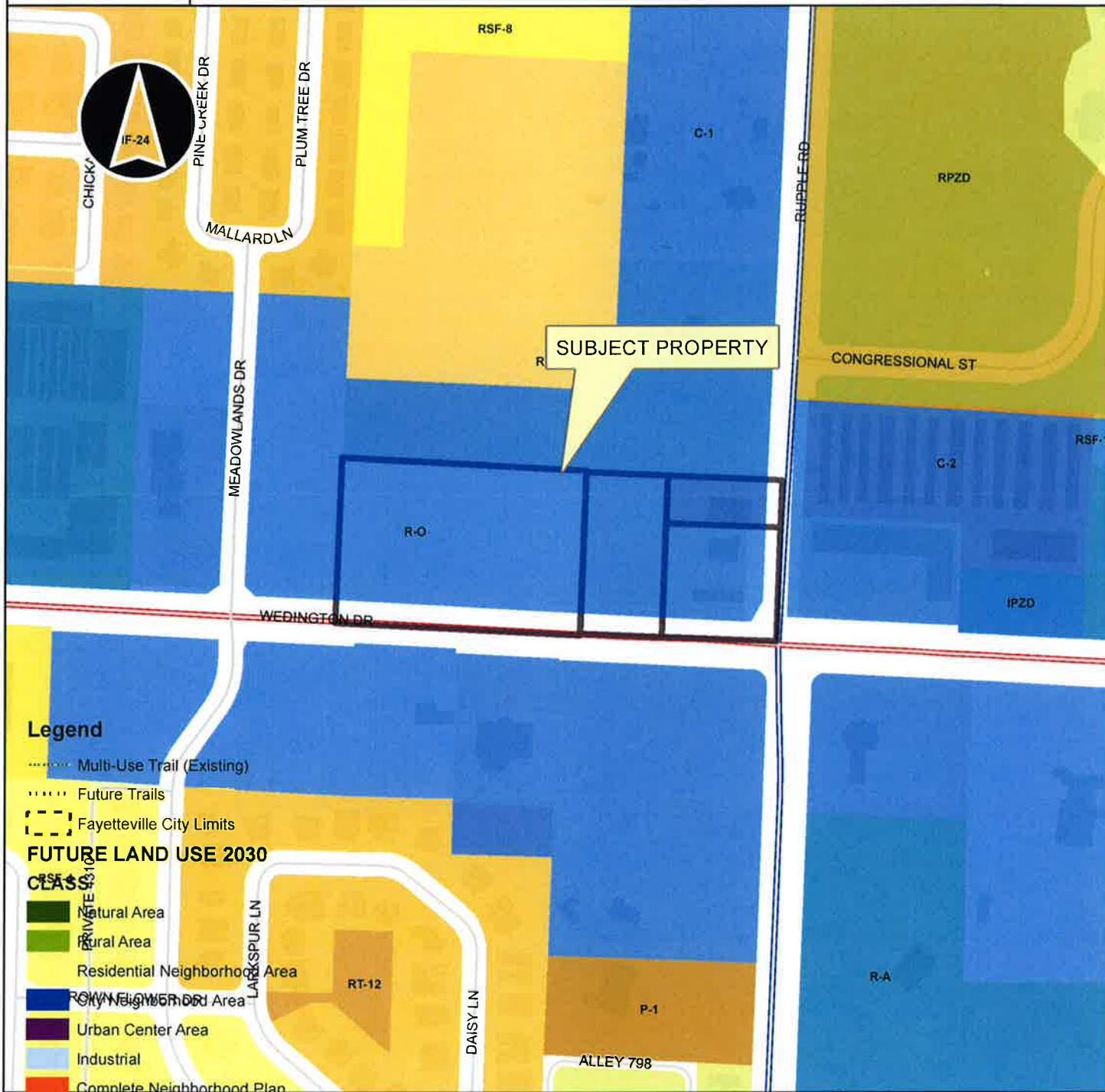
- Footprints 2010
- Hillside-Hilltop Overlay District
- Design Overlay District
- Design Overlay District
- Planning Area



RZN13-4572

# WEDINGTON NEIGHBORHOOD PLAN ZN 3

Future Land Use



### Legend

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

### FUTURE LAND USE 2030

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

- Civic and Private Open Space/Parks
- Civic Institutional
- Non-Municipal Government
- ROW
- RZN13-4572
- Design Overlay District
- Design Overlay District
- Planning Area

