

City of Fayetteville Item Review Form

2014-0183

Legistar File Number

05/06/2014

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

Quin Thompson

Submitted By

Development Services

Department

Action Required:

RZN 14-4659: Rezone (WEST SIDE OF BEECHWOOD AND SOUTH OF THE DOMAIN/BEECHWOOD PROPERTIES, 559): Submitted by JORGENSEN AND ASSOCIATES for property located at WEST SIDE OF BEECHWOOD, SOUTH OF THE DOMAIN. The property is zoned I-1, HEAVY COMMERCIAL LIGHT INDUSTRIAL and contains approximately 9.74 acres. The request is to rezone the property to CS, COMMUNITY SERVICES

Does this item have a cost?

Cost of this request	Category or Project Budget	Program or Project Name
Account Number	Funds Used to Date \$0.00	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:

ENTERED
4/18/14

[Signature]
Kadfer 4-18-14
Paul Beck 4-22-2014

ENTERED
4/21/14 BCP

[Signature]
4-22-14
[Signature]

CITY COUNCIL AGENDA MEMO

MEETING OF MAY 06, 2014

TO: Fayetteville City Council

THRU: Andrew Garner, Planning Director *amy*

FROM: Quin Thompson, Current Planner

DATE: April 16, 2014

SUBJECT: **RZN 14-4659: Rezone (WEST SIDE OF BEECHWOOD AND SOUTH OF THE DOMAIN/BEECHWOOD PROPERTIES, 559):** Submitted by JORGENSEN AND ASSOCIATES for property located at WEST SIDE OF BEECHWOOD, SOUTH OF THE DOMAIN. The property is zoned I-1, HEAVY COMMERCIAL LIGHT INDUSTRIAL and contains approximately 9.74 acres. The request is to rezone the property to CS, COMMUNITY SERVICES.

RECOMMENDATION:

The Planning Commission recommends approval of an ordinance to rezone the property to CS, Community Services. Planning Division staff recommends approval of the request.

BACKGROUND:

The subject property is located south of Martin Luther King Boulevard and west of Beechwood Avenue. The property is within the I-1 zoning district and contains approximately 9.7 acres. The property is developed with a surface parking lot that serves the adjacent property to the south.

CITY PLAN 2025 FUTURE LAND USE PLAN: *City Plan 2030 Future Land Use Plan designates this site as **Industrial Area**.* Industrial Areas are those areas with buildings that by their intrinsic function, disposition or configuration, cannot conform to one of the other designated areas and/or its production process requires the area to be separated from other uses.

COMPATIBILITY: This property is currently in use as a surface parking lot associated with the adjacent industrial use to the south. The neighborhood has, however, been developing recently with multi-family housing and a variety of commercial and office buildings. The proposal to rezone the property to CS, Community Services will allow the property to be used for commercial or residential opportunities that are consistent with recent trend in the area, where older industrial properties have been redeveloped for residential use.

The CS zoning district is a significant downzone from I-1, and will provide opportunity for re-development that is more compatible with recent residential development than the current zoning allows. As discussed, with the recent rezoning and re-development of the adjacent properties to the north and northeast from I-1 to CS, the zoning is justified in staff opinion.

DISCUSSION:

On April 14, 2014 the Planning Commission forwarded this item to the City Council with a recommendation of approval with a vote of 8-0-0.

BUDGET/STAFF IMPACT:

N/A

Attachments:

CC Ordinance

Exhibit A

Exhibit B

Planning Commission Staff Report

ORDINANCE NO.

AN ORDINANCE REZONING THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 14-4659, FOR APPROXIMATELY 9.74 ACRES, LOCATED AT THE WEST SIDE OF BEECHWOOD, SOUTH OF THE DOMAIN FROM I-1, HEAVY COMMERCIAL/LIGHT INDUSTRIAL, 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 I-1, Heavy Commercial/Light Industrial, to CS, Community Services, 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 , 2014.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

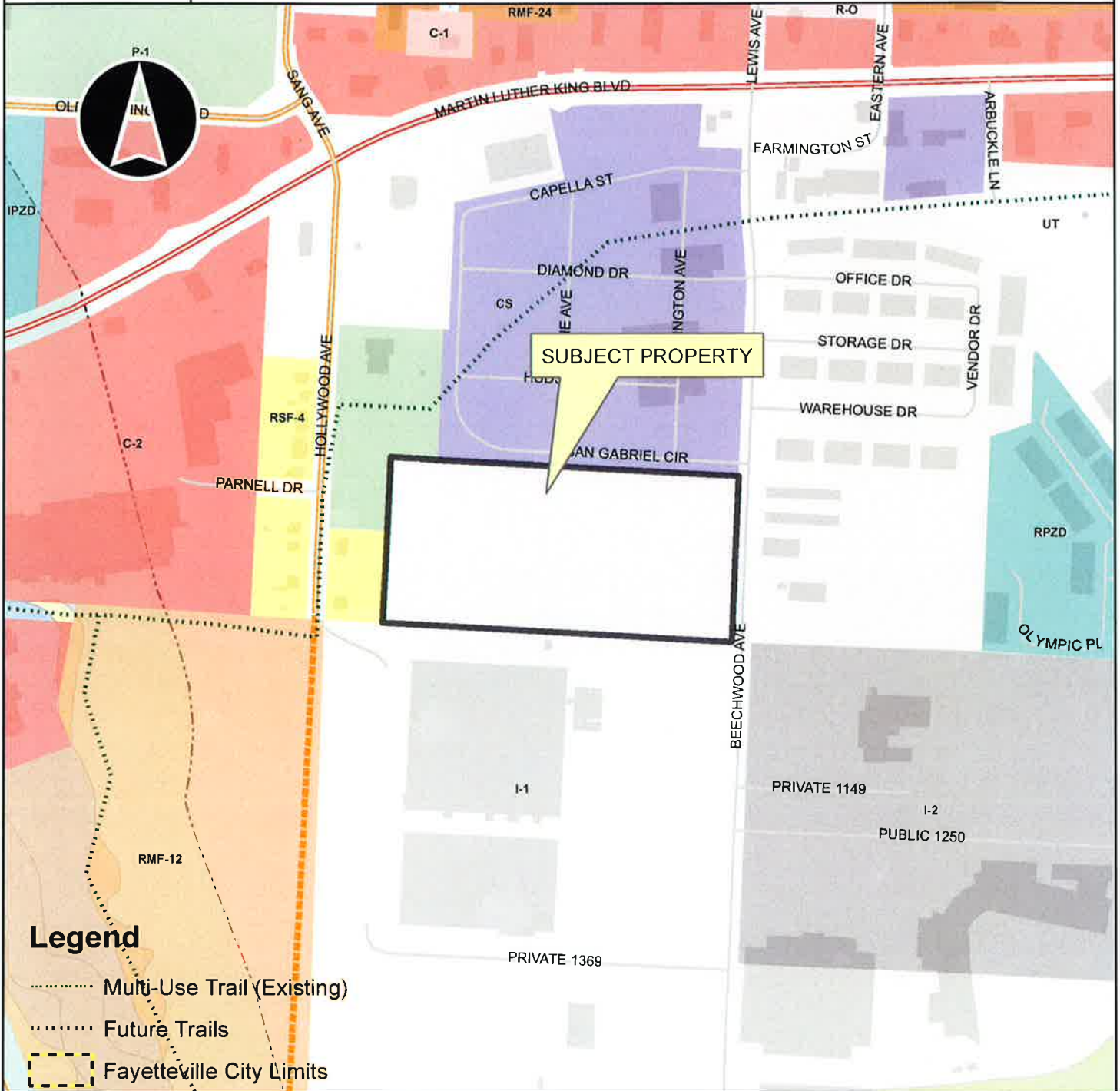
By: _____
SONDRA E. SMITH, City Clerk/Treasurer

EXHIBIT 'A'

RZN14-4659

BEECHWOOD PROPERTIES

Close Up View



Legend

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

Overview

RZN14-4659

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



EXHIBIT 'B'

RZN 14-4659

All of Block 8 of the Replat of Westwood Addition to the City of Fayetteville, Arkansas, as shown on the plat of record in plat book 508, at page 349, plat records of Washington County, Arkansas.

PLANNING COMMISSION MEMO

TO: City of Fayetteville Planning Commission

THRU: Andrew Garner, Planning Director

FROM: Quin Thompson, Current Planner

MEETING DATE: ~~April 14, 2014~~ UPDATED 4-17-2014

SUBJECT: **RZN 14-4659: Rezone (WEST SIDE OF BEECHWOOD AND SOUTH OF THE DOMAIN/BEECHWOOD PROPERTIES, 559):** Submitted by JORGENSEN AND ASSOCIATES for property located at WEST SIDE OF BEECHWOOD, SOUTH OF THE DOMAIN. The property is zoned I-1, HEAVY COMMERCIAL LIGHT INDUSTRIAL and contains approximately 9.74 acres. The request is to rezone the property to CS, COMMUNITY SERVICES.

RECOMMENDATION:

Staff recommends forwarding **RZN 14-4659** to City Council with a recommendation for approval.

BACKGROUND:

The subject property is located south of Martin Luther King Boulevard and west of Beechwood Avenue. The property is within the I-1 zoning district and contains approximately 9.7 acres. The property is developed with a surface parking lot that serves the adjacent property to the south. Surrounding land use and zoning is depicted on *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction from Site	Land Use	Zoning
North	Multi-Family Residential	CS, Community Services
South	Industrial	I-2, General Industrial
East	Residential Multi-family	CS, Community Services
West	Single-family Residential/City of Fayetteville	RSF-4, Residential Single-family, 4 units/acre P-1, Institutional

DISCUSSION:

Request: The request is to rezone the property from I-1, Heavy Commercial and Light Industrial, to CS, Community Services. The applicant has stated that the rezoning would make the property more marketable for a variety of potential uses.

Public Comment: Staff has not received public comment.

Infrastructure:

- Streets:** The site has access to Beechwood Avenue which is a two lane local road, the west side of Beechwood Avenue has open ditches and no curb and gutter while the east has been improved with curb/gutter and associated drainage. Improvements to this road would be determined at the time of development.
- Water:** Public water is accessible to the site. An 8" water main exists in the Beechwood Avenue right of way.
- Sewer:** Sanitary sewer is available to the site. An 8" sanitary sewer exists on the east side of Beechwood Avenue right of way. Also, sewer extensions have been built as part of the domain property to the north along San Gabriel Circle.
- Drainage:** Standard improvements and requirements for drainage will be required for any development. This property is not affected by the 100-year floodplain and the Streamside Protection Zones.
- Fire:** This development will be protected by Engine 6 located at 900 Hollywood. It is 1.5 miles from the station with an anticipated response time of 4 minutes to the beginning of the development. The Fayetteville Fire Department does not feel this development will affect our calls for service or our response times.
- Police:** The Police Department did not express any concerns with this request.

CITY PLAN 2025 FUTURE LAND USE PLAN: *City Plan 2030 Future Land Use Plan designates this site as **Industrial Area**.* Industrial Areas are those areas with buildings that by their intrinsic function, disposition or configuration, cannot conform to one of the other designated areas and/or its production process requires the area to be separated from other uses.

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: **This property is currently used as a surface parking lot associated with the adjacent industrial use to the south. The neighborhood has been developing recently with multi-family housing and a variety of commercial and office buildings. The proposal to rezone the property to CS, Community Services will allow the property to be used for commercial or residential opportunities that are consistent with surrounding land uses. The existing parking lot for the adjacent industrial property would be allowed to continue in its current use. The City Plan 2030 Future Land Use Map designates this area as Industrial. This designation is often used to protect existing industrial uses and to safeguard businesses that may create noise or odor that are not compatible with other uses. Properties in the area have been moving away from industrial uses, and current industrial zoning designation is becoming incompatible with surrounding properties as redevelopment occurs. The proposed zoning will allow the owner to utilize the property for residential**

and light commercial uses, which are compatible with the changing neighborhood.

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

Finding: The proposed rezoning is justified due to the fact that the area's current industrial zoning designation is becoming incompatible with surrounding properties as redevelopment occurs. The proposed zoning will allow the owner to utilize the property for residential and light commercial uses, which are compatible with the changing neighborhood.

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

Finding: The site access has access to Beechwood Avenue, a partially improved two lane street. The proposed zoning would allow uses likely to increase traffic, and given the increased development served by this single street, it is possible that traffic danger and likely that congestion could be increased without adequate improvements. Street improvements will be assessed at the time of development.

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: Rezoning the property from industrial to mixed use will allow for the development of residential and commercial uses, however development should not undesirably increase the load on public services. The Police and Fire Departments have expressed no objections to the proposal.

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

RECOMMENDATION:

Staff recommends forwarding RZN 14-4659 to the City Council with a recommendation for **approval** based on findings stated herein.

BUDGET/STAFF IMPACT:

None

PLANNING COMMISSION ACTION:	Required	<u>YES</u>	
Date: <u>April 14, 2014</u>	<input type="checkbox"/> Tabled	<input checked="" type="checkbox"/> Forwarded	<input type="checkbox"/> Denied
Motion: Winston	Second: Chesser	Vote: 9-0-0	
CITY COUNCIL ACTION:	Required	<u>YES</u>	
	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	
Date:			

Attachments:

- Request Letter
- Fire Comments
- One Mile Map
- Close Up Map
- Current Land Use Map
- Future Land Use Map



JORGENSEN & ASSOCIATES

CIVIL ENGINEERS • SURVEYORS

124 WEST SUNBRIDGE, SUITE 5 • FAYETTEVILLE, ARKANSAS 72703 • (479) 442-9127 • FAX (479) 582-4807

DAVID L. JORGENSEN, P.E., P.L.S.
JUSTIN L. JORGENSEN, P.E.
BLAKE E. JORGENSEN, P.E.

City of Fayetteville
113 W. Mountain
Fayetteville, AR 72701

Attn: Development Services
Re: Rezoning

This letter is in regards to a proposed rezoning and the following required information:

- A. The current owner of this site is as follows:
 - a. 765-12173-001: Beechwood Properties of Arkansas
- B. Currently this property is zoned I-1. The reason for the requested *Community Service* zoning is to allow this property to be more marketable to allow for more varieties of potential uses.
- C. The property due north is zoned Community Services and has Student Housing. The property to the east was recently rezoned CS and the property to the south is I-1. With the addition of the Domain Student Housing development to the north an evaluation of compatibility of Community Services was undertaken and found to be an appropriate zoning, with this finding, we feel that this property would be compatible as well with the requested zoning.
- D. Existing water and sewer are already at this site (8" Water and Sewer run along Beechwood).
- E. We feel the requested zonings are in line with the goals of the City Plan 2030 for rezoning and development in the future as to be consistent with the recent rezoning of the Domain property to the west from Industrial to Community Services.
- F. The trend of re-utilizing land in this area is an effort to maximize and diversify use and has found to be successful.
- G. With the development of the Domain Student Housing project to the west, improvements to the intersection of Beechwood and Martin Luther King Junior Blvd have decreased traffic danger and congestion.
- H. The potential to increase the population density in this area as a result of this rezoning would aid in supplying a demand to existing commercial uses along Martin Luther King Junior Blvd and would not undesirably increase load on public services.
- I. Industrial zoning limits the use of this land as compared to the mixed available uses found under the Community Services Zoning.

Sincerely;

Justin L. Jorgensen, P.E.



1 inch = 200 feet



www.accessfayetteville.org

THE CITY OF FAYETTEVILLE, ARKANSAS



FIRE DEPARTMENT
303 West Center Street
Fayetteville, AR 72701
P (479) 575-8365 F (479) 575-0471

Zoning Review

To: Quin Thompson
From: Will Beeks
Date: March 18, 2014
Re: RZN 14-4659

This development will be protected by Engine 6 located at 900 Hollywood. It is 1.5 miles from the station with an anticipated response time of 4 minutes to the beginning of the development. The Fayetteville Fire Department does not feel this development will affect our calls for service or our response times.

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

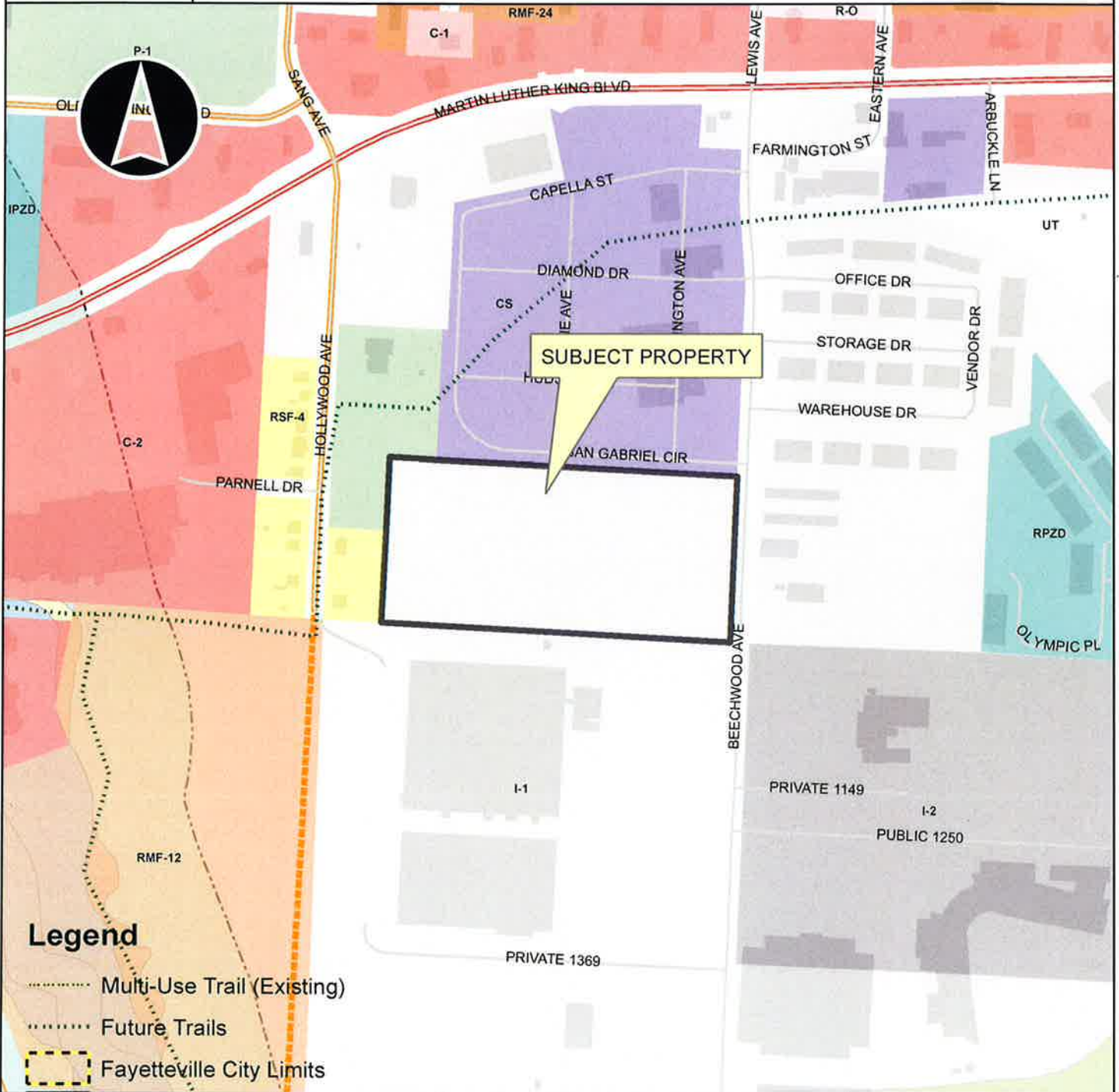
Will Beeks

Fayetteville Fire Department

RZN14-4659

BEECHWOOD PROPERTIES

Close Up View



Overview

RZN14-4659



Footprints 2010



Hillside-Hilltop Overlay District



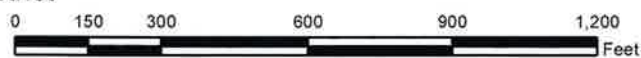
Design Overlay District



Design Overlay District



Planning Area



RZN14-4659

BEECHWOOD PROPERTIES

Close Up View



Legend


-  With Use Plan (existing)
-  Future Date


Overview Fayetteville City Limits

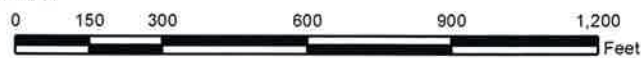
 RZN14-4659

 Footprints 2010

 Hillside-Hilltop Overlay District

 Design Overlay District

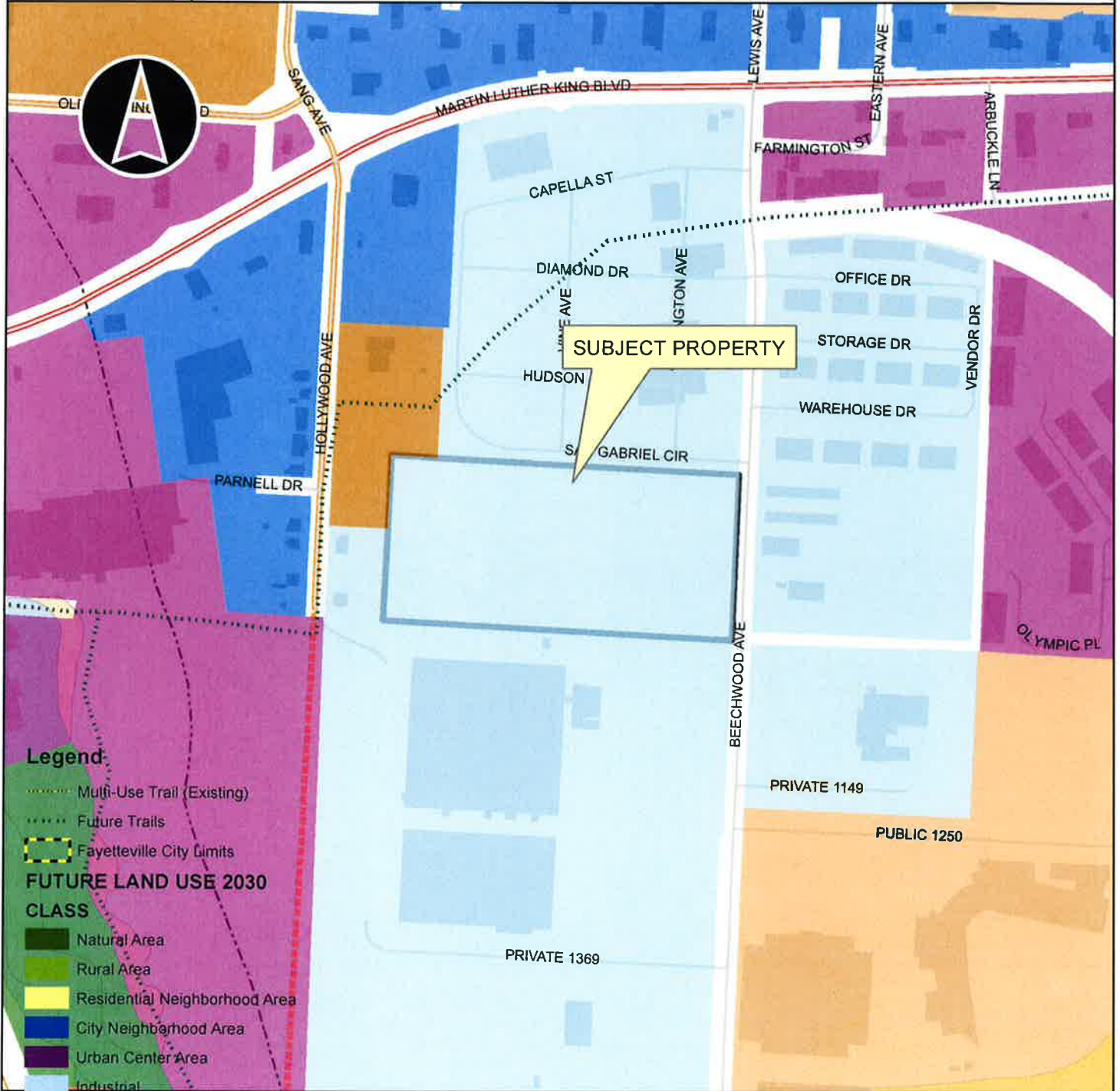
 Planning Area



RZN14-4659

BEECHWOOD PROPERTIES

Future Land Use



Legend

- Multi-Use Trail (Existing)
- Future Trails
- Fayetteville City Limits
- FUTURE LAND USE 2030 CLASS**
- Natural Area
- Rural Area
- Residential Neighborhood Area
- City Neighborhood Area
- Urban Center Area
- Industrial

- Complete Neighborhood Plan
- Civic and Private Open Space/Parks
- Civic Institutional
- Non-Municipal Government
- ROW
- RZN14-4659
- Design Overlay District
- Planning Area



