

City of Fayetteville Item Review Form

2014-0184

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:

I-PZD 14-4662: Industrial Planned Zoning District (701 W. North, 443): Submitted by JASON CORRAL for property located at the 701 W. NORTH ST. The property is zoned CS, COMMUNITY SERVICES and contains approximately 0.76 acres. The request is to rezone the property to I-PZD, Industrial Planned Zoning District, for a micro-brewery in an existing building.

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

ENTERED
4-18-14 JM

Previous Ordinance or Resolution # _____

Original Contract Number: _____

Comments:

Handwritten signatures and dates:
4-18-14
Paul A. Butler 4-22-2014
4-22-12

ENTERED
4/21/14 BRP



CITY COUNCIL AGENDA MEMO

MEETING OF MAY 06, 2014

TO: Fayetteville City Council

THRU: Andrew Garner, City Planning Director

FROM: Quin Thompson, Current Planner

DATE: April 14, 2014

SUBJECT: **I-PZD 14-4662: Industrial Planned Zoning District (701 W. North, 443):** Submitted by JASON CORRAL for property located at the 701 W. NORTH ST. The property is zoned CS, COMMUNITY SERVICES and contains approximately 0.76 acres. The request is to rezone the property to I-PZD, Industrial Planned Zoning District, for a micro-brewery in an existing building.

RECOMMENDATION:

The Planning Commission recommends approval of an ordinance to rezone the property to I-PZD, Industrial Planned Zoning District. Planning Division staff recommends approval of the request.

BACKGROUND:

The subject property is located at 693 and 701 North Street. The property is within the CS zoning district and contains assorted buildings associated with the former RANCO Lumberyard that was served by the adjacent rail system. In recent years the buildings have been empty or in varied manufacturing use; Brooks Graphics, for example was located in the west building until recently. The City has literally grown around this site, with the addition of commercial, office, and residential developments over a period of many years. The building at 701 North Street is currently vacant and the building at 693 North Street is occupied with 'Fayetteville's Funky Yard Sale', a flea market.

On May 06, 2013 the Planning Commission voted unanimously to forward a rezone request for this property with a recommendation for approval to the City Council, which subsequently approved an ordinance rezoning the property from I-1, Light Industrial and Heavy Commercial to CS, Community Services. A business with a primary use being beer production and distribution (greater than 50% of the size of the structure) is considered a manufacturing use, which is not allowed within the CS zoning district. In addition, a taproom/bar is not allowed as a primary use business in the CS zoning district.

Proposal: The applicant requests a rezone from CS, Community Services to an Industrial Planned Zoning District, I-PZD to allow a micro-brewery and tap-room to operate in the existing 2,975 square foot building at 701 North Street. Approximately 1,975 square feet of the building would be used for manufacturing craft beers, and approximately 1,000 square feet of the building would be used as a taproom/bar.

The applicant has proposed a customized zoning that contains all of the uses allowed under the current CS zone, with the addition of a manufacturing use (UU-22,) limited to allow only a micro-brewery with production not to exceed 5,000 barrels annually, along with 1,000 square feet of taproom.

Public Comment: Notification was delivered to property owners within 100' of the project boundary and one public notice sign was posted on the property. Staff received no public comment.

CITY PLAN 2030 FUTURE LAND USE PLAN: City Plan 2030 Future Land Use Plan designates this site as City Neighborhood Area. City neighborhood areas are more densely developed than residential neighborhood areas and provide a varying mix of nonresidential and residential uses.

COMPATIBILITY: Staff finds that the proposed zoning is consistent with the Unified Development Code and City Plan 2030. The future land use map designates the property as a City Neighborhood Area, which is characterized as more densely populated than residential neighborhood areas, providing a mix of nonresidential and residential uses. This designation supports the widest spectrum of uses and encourages density. The proposal is to add a single use unit to the existing CS zoning, which would allow for a Manufacturing Use (UU-22) so that a craft brewery can operate on the site.

In staff's opinion the proposed rezoning is compatible with surrounding zoning and land uses. The area has for years supported a variety of uses, including single- and multi-family residential, commercial, office, institutional, and industrial. Historically, the site has been in industrial/commercial use for decades. The proposed manufacturing use is not expected to generate adverse environmental effects, however it is typical of a brewery to produce some odor within a very limited area.

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 ESTABLISHING AN INDUSTRIAL PLANNED ZONING DISTRICT TITLED I-PZD 14-4662, PROJECT CORRAL, LOCATED AT 701 W. NORTH STREET; CONTAINING APPROXIMATELY 0.76 ACRES; AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FAYETTEVILLE; AND ADOPTING THE ZONING CRITERIA AND ASSOCIATED MASTER PLAN

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 CS, Community Services, to I-PZD 14-4662 as shown in Exhibit "A" and "B" attached hereto and made a part hereof

Section 2: That the change in zoning classification is based upon the approved zoning criteria and associated master plan and statement as submitted, determined appropriate and approved by the City Council.

Section 3: That this ordinance shall take effect and be in full force at such time as all of the requirements of the zoning criteria and master plan have been met.

Section 4: 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

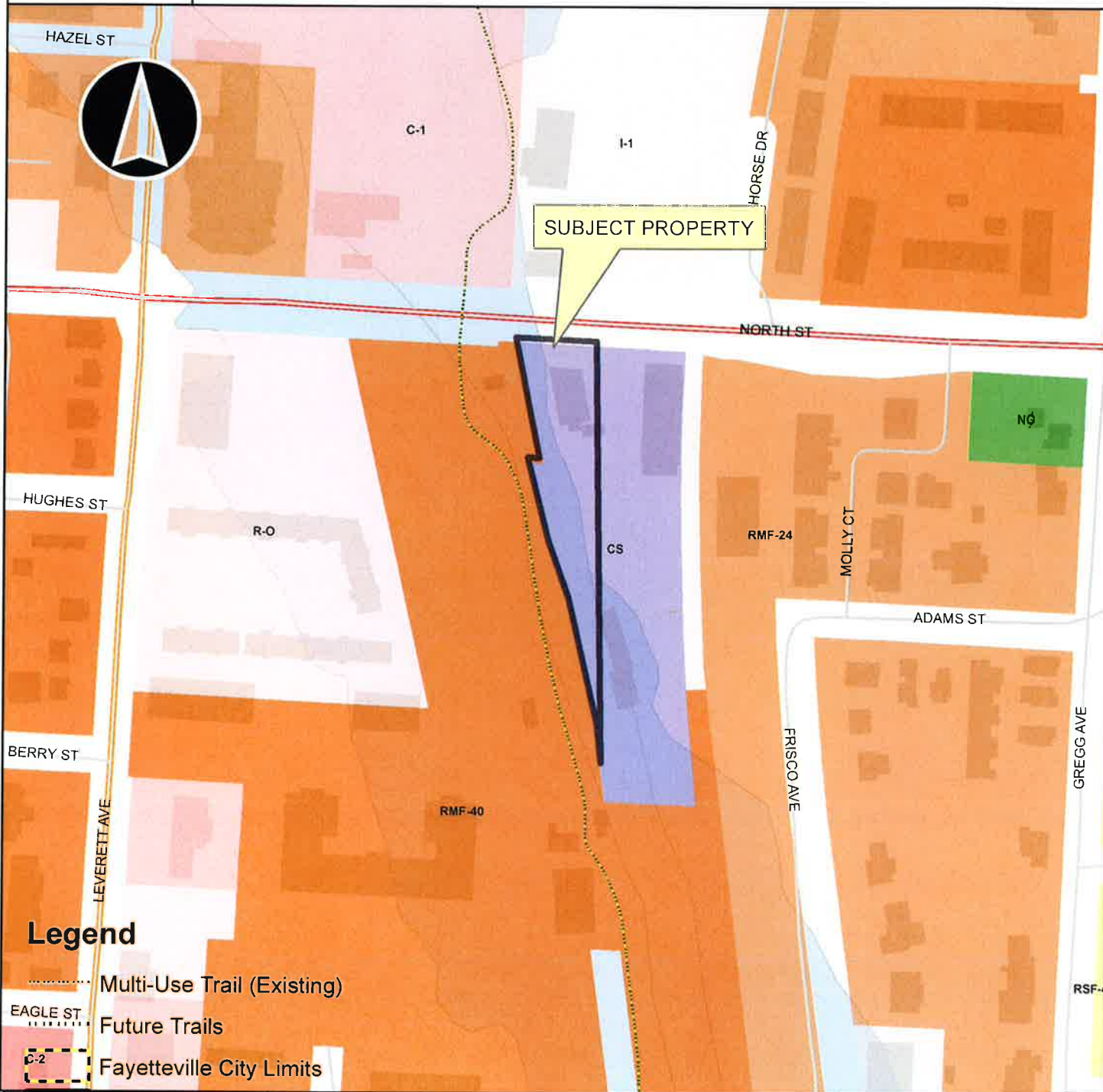
By: _____
SONDRA E. SMITH, City Clerk/Treasur

EXHIBIT 'A'

IPZD14-4662

701 W. NORTH

Close Up View



Legend

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

Overview

IPZD14-4662

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

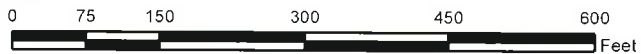


EXHIBIT 'B'

14-4662 I-PZD

SURVEY DESCRIPTION OF AREA TO BE REZONED:

A PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 16 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING FROM THE NORTHEAST CORNER OF SAID FORTY ACRE TRACT, AND RUNNING THENCE N87°13'26"W 572.96', THENCE S02°46'34"W 30.25', THENCE N87°13'26"W 118.73' TO THE POINT OF BEGINNING, SAID POINT BEING A SET IRON PIN ON THE SOUTH RIGHT-OF-WAY OF NORTH STREET, AND RUNNING THENCE S00°42'47"E 574.30', THENCE N06°23'41"W 52.82' TO THE WEST BANK OF A CREEK, THENCE ALONG SAID WEST BANK THE FOLLOWING 3 COURSES: N12°46'36"W 177.56' TO A SET IRON PIN, THENCE N19°40'38"W 81.51' TO A SET IRON PIN, THENCE N14°00'24"W 117.20' TO A FOUND IRON PIN, THENCE LEAVING SAID BANK AND RUNNING S87°14'48"E 15.75' TO THE CENTERLINE OF SAID CREEK, THENCE ALONG SAID CENTERLINE N11°15'40"W 167.48' TO THE SOUTH RIGHT-OF-WAY OF NORTH STREET, THENCE ALONG SAID RIGHT-OF-WAY S87°13'26"E 110.92' TO THE POINT OF BEGINNING. CONTAINING 0.76 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD, IF ANY.

PZD Booklet

A. Current Owner:

Ranco Properties LLC

Applicant/Contingent Buyer:

Jason Corral

Corputske Beverage Corp.

1553 E Columbus Blvd

Fayetteville, AR 72701

B. The intent of this I-PZD is for a modification of the current Community Services zoning ordinance at 701 W. North St. to allow for the operation of a microbrewery and taproom at that location by Corputske Beverage Corp. The microbrewery will be limited to a production capacity of 5,000 bbl per year, which is the maximum allowable production capacity of a microbrewery-restaurant, but otherwise regulated under the normal ordinances of a microbrewery as operated in I-1 or I-2 (Use Unit 22: Manufacturing). All ordinances provided by the Community Services zoning will still be maintained and applied at this location, with the additional allowed use of a microbrewery.

C. (1) The street and lot layout will remain as is.

(2) There are no proposed improvements for this project.

(3) The street, lot, and building will not be modified, so the current buffer areas will remain as is.

(4) There is not any proposed street, lot, or building modification, so all trees will remain as is.

(5) There are no proposed street or lot improvements, so all storm water detention and drainage will remain as is.

(6) There are not any proposed street or lot improvements, so undisturbed natural areas will be left untouched.

(7) Existing and Proposed Utility Connections and Extensions:

The existing utilities and connections at this building will initially be maintained as is. Any additional utilities connections in the future will be compliant with the Community Services zoning.

(8) Development and Architectural Design Standards:

The building front will remain as-is, so no architectural design will be employed.

(9) Building Elevations:

The existing building will remain as is. Pictures of the location are provided in the appendix to serve as building elevations.

D. There will not be any exterior development performed at the location.

E. There is only one planning area at this site.

F. Proposed Zoning Development Standards:

Land Use Designation:

A.) Permitted uses by use unit:

Unit 1- City-wide use 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
- ✓ Unit 22- Manufacturing: specifically, a microbrewery and approximately 1,000 square feet taproom with production capacity not to exceed 5,000 bbl per year.

B.) Conditional uses by use unit:

- 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

Bulk and Area Regulations:

D.) Lot width minimum

Dwelling = 18 ft. All other = none.

E.) Lot area minimum

None

F.) Land area per dwelling

None

G.) Setback requirements

Front- *A build-to zone that is located between 10 feet and a line 25 feet from the property line*

Side and rear- *None*

Side or rear, when contiguous to a single family residential district- *15 feet*

H.) Height regulations

Building height maximum- 56 ft.

I.) Building area

Minimum buildable street frontage- 50% of the lot width.

Site Planning:

J.) Landscaping

Any landscaping carried out at this location will be in compliance with landscaping regulations for the Community Services zoning

✓ K.) Parking

Parking will be provided by the parking spots on-site and additional parking will be facilitated by a shared parking agreement with the owner of Fayetteville's Funky Yard Sale (Ranco Properties LLC). Adequate parking will be provided to cover the manufacturing use, and additional parking will be provided to cover the operation of the tap room (a 1000 sq ft room) as if it were a restaurant. All parking plans will be reviewed for compliance with City Code prior to business license approval.

L.) Architectural Design Standards

The exterior of the building will not be altered, so existing architectural design standards will be maintained. See pictures in appendix.

M.) Signage

Pending approval by Ranco Properties LLC, a sign will be placed on the front of the building. Signage will remain consistent with the Community Services zoning regulation.

- G. Chart comparing proposed master development plan to the current zoning district requirements. All requirements will remain the same as Community Services with the exception of the addition of the use of a microbrewery as a permitted use.

Permitted Uses

Community Services	
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

Planned Zoning District	
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
Unit 22	Manufacturing: specifically, a microbrewery with production capacity not to exceed 5,000 bbl per year

Conditional Uses

Community Services	
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 recyclable materials
Unit 34	Liquor stores
Unit 35	Outdoor music establishments
Unit 36	Wireless communication facilities
Unit 40	Sidewalk cafes
Unit 42	Clean technologies

Planned Zoning District	
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 recyclable materials
Unit 34	Liquor stores
Unit 35	Outdoor music establishments
Unit 36	Wireless communication facilities
Unit 40	Sidewalk cafes
Unit 42	Clean technologies

Bulk and Area Regulations

Community Services	
Lot Width Minimum	
Dwelling	18 ft.
All others	None

Planned Zoning District	
Lot Width Minimum	
Dwelling	18 ft.
All others	None

Lot area minimum: None

Density: None

Setback Regulations

Community Services	
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

Planned Zoning District	
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

Building Height Regulations

Community Services	
Building Height Maximum	56 ft.

Planned Zoning District	
Building Height Maximum	56 ft.

Minimum buildable street frontage: 50% of the lot width.

There will not be any development of the exterior of the property, so there will not be any environmentally hazardous operations occurring at the property. Waste liquids will be drained to the sewage line, and waste solids will be thrown away or recycled, so there is no immediate threat to the environment. The environmental and safety regulations of the Community Services zoning and Manufacturing use will remain as is.

- H. The building is located next to the Scull Creek trail, which is a pedestrian path through Fayetteville. This trail connects with Wilson Park, which is approximately 0.5 miles away. There are no recreational facilities proposed for this planned zoning district.
- I. The reason I am requesting this zoning change is because I want to open a microbrewery and tap room at this location. I am not proposing a large scale, mass -distribution-oriented brewery. The brewery I am opening is going to be reminiscent of a European café, where locals can come to relax and enjoy a beautiful day or the comfortable, open atmosphere of the tap-room, and partake in local culture by purchasing locally produced beer. Annual production will remain strictly less than 5,000 bbl per year, which is the maximum annual production a microbrewery-restaurant is allowed under state regulations (some micro-brewery restaurants would be able to open at this location with the zoning as-is).

- J. The projected operations of this microbrewery bring in an average of 15 to 20 customers per day, over a 10 hour day. Even during peak demand hours, this is not likely to contribute to heavily increased traffic or congestion on North St. Pending landlord approval, a sign will be placed on the front of the building, but will not obstruct view of adjacent buildings or of traffic. The exterior of the building will be maintained at a respectable level. All regulations relating to the Community Services zoning will remain as is.
- ✓ K. This project is compliant with the Fayetteville City Plan 2030. Opening a microbrewery at this location will support the Fayetteville City Plan 2030 by:
 - a. Encouraging the use of the city bike trail as an alternative to automobile transportation due to the pedestrian accessibility of the location.
 - b. Encouraging a local business to stay in Fayetteville
 - c. Potentially contributing to increased quality of Scull Creek by investigating methods of rainwater runoff capture and reuse at this location
 - d. Finally, I will be turning a property near the core of Fayetteville into a cultural center that celebrates and embodies the unique identity of Fayetteville.
- L. No traffic study was required by the Planning/Engineering Division.
- M. Water and Sewer for this location are located along North St. and are currently serving the existing building. The West Side wastewater treatment plant indicated that this project would not be a concern for them.
- N.

“STATEMENT OF COMMITMENTS”

The statement of commitments shall, in all cases, describe the development commitments including a method for assigning responsibility to heirs, successors, or assigns, and timing of the fulfillment of these commitments for the following:

- (1) Dedication: There is no dedication proposed for this site.
- (2) On or off site improvements: Construction of, or payment of fees or guarantees for any required public improvements shall take place at the time of development in accordance with UDC requirements.
- (3) Natural Resources and Environmentally Sensitive Areas: These areas will be maintained as required under the Community Services zoning.
- (4) Project Phasing Restrictions: The only construction projects associated with the brewery will involve development within the building. Any future phasing will be conducted in accordance with the Fayetteville UDC.
- (5) Fire Protection: This building shall meet current fire codes for Manufacturing use based on inspection by the City Fire Marshall. Fire protection to this site is readily available.
- (6) There are currently no other commitments imposed by the city.
- (7) This project commits to preserving open space and greenspace as indicated on the PZD site-plan and zoning criteria.
- (8) The building will remain as-is, and any future development shall be in keeping with the residential character of the area.

O. Conceptual Description of Development Standards, Conditions, and Review Guidelines.

- (1) Screening and Landscaping: standards, conditions, and review will remain the same as for the Community Services zoning.
- (2) Traffic and Circulation: This zoning will comply with traffic and circulation regulations set forth for the Community Services zoning.
- (3) Parking Standards: Parking shall be provided in accordance with the zoning ordinance for Manufacturing (Use Unit 22). Additionally, parking for the taproom (a sub-segment of the building) will be provided in accordance with the zoning ordinance for a restaurant (Use Unit 13).
- (4) Perimeter Treatment: Any perimeter landscaping projects will be carried out in accordance with the Community Services zoning.
- (5) Sidewalks: There is currently an existing sidewalk along North St., and the bike trail runs along the West side of the building, opposite Scull Creek. Any additional sidewalks will comply with the Community Services zoning regulations.
- (6) Streetlights: There is adequate lighting in the area (near the bike trail crosswalk). Lighting will be maintained in compliance with the Community Services zoning.
- (7) Water: Water will be provided as is.
- (8) Sewer: Sewer services will be provided as is.
- (9) Streets and Drainage: Drainage will comply with City of Fayetteville Unified Development Code requirements for Community Services zoning.
- (10) Construction of Nonresidential Facilities: No buildings will be constructed in association with this business.
- (11) Tree Preservation: Tree preservation will be maintained in accordance with the Community Services zoning.
- (12) Architectural Design Standards: The building will remain as-is. See attached photos.
- (13) Proposed Signage: One sign will be placed on the building pending landlord approval. One additional sign may be placed near the front of the building, but this sign will not impede pedestrian or vehicular traffic visibility. Signage will be compliant with Community Services zoning.
- (14) View Protection: Not impacted.
- (15) Revocations: I understand causes for revocation and will take all necessary measures to avoid revocation.
- (16) Covenants, Trusts, and Homeowners Associations: Not applicable.

P. This development fulfills the intent and purpose of the Planned Zoning District Ordinance by permitting the operation of a business with a unique use that is not allowed in the current

Community Services zoning. The PZD would allow for a microbrewery to open in a location with historical significance in the City of Fayetteville that would not normally be zoned for the operation of a microbrewery. This use will be compatible with the surrounding community and will add to the cultural identity of Fayetteville.

PLANNING COMMISSION MEMO

TO: Fayetteville Planning Commission

THRU: Andrew Garner, City Planning Director

FROM: Quin Thompson, Current Planner

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

SUBJECT: **I-PZD 14-4662: Industrial Planned Zoning District (701 W. North, 443):** Submitted by JASON CORRAL for property located at the 701 W. NORTH ST. The property is zoned CS, COMMUNITY SERVICES and contains approximately 0.76 acres. The request is to rezone the property to I-PZD, Industrial Planned Zoning District, for a micro-brewery in an existing building.

RECOMMENDATION:

Planning staff recommend forwarding **I-PZD 14-4662** to the City Council with a recommendation for approval.

BACKGROUND:

The subject property is located at 693 and 701 North Street. The property is within the CS zoning district and contains assorted buildings associated with the former RANCO Lumberyard that was served by the adjacent rail system. In recent years the buildings have been empty or in varied manufacturing use; Brooks Graphics, for example was located in the west building until recently. The City has literally grown around this site, with the addition of commercial, office, and residential developments over a period of many years. The building at 701 North Street is currently vacant and the building at 693 North Street is occupied with 'Fayetteville's Funky Yard Sale', a flea market.

On May 06, 2013 the Planning Commission voted unanimously to forward a rezone request for this property with a recommendation for approval to the City Council, which subsequently approved an ordinance rezoning the property from I-1, Light Industrial and Heavy Commercial to CS, Community Services.

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

**Table 1
 Surrounding Land Use and Zoning**

Direction from Site	Land Use	Zoning
North	Former Tune Concrete works	I-1, Heavy Commercial and Light Industrial
South	Undeveloped / Multi-Family Residential	Undeveloped/RMF-40, Residential Multi-Family, 40 Units Per Acre
East	Multi-Family Residential	RMF-24, Residential Multi-Family, 24Units Per Acre
West	Multi-Family Residential	RMF-40, Residential Multi-Family, 40 Units Per Acre

DISCUSSION:

Findings:

Proposal: The applicant requests a rezone from CS, Community Services to an Industrial Planned Zoning District, I-PZD to allow a micro-brewery and tap-room to operate in the existing 2,975 square foot building at 701 North Street. Approximately 1,975 square feet of the building would be used for manufacturing craft beers, and approximately 1,000 square feet of the building would be used as a taproom/bar. A micro-brewery is considered a manufacturing use, which is not allowed within the CS zoning district.

The applicant has proposed a customized zoning that contains all of the uses allowed under the current CS zone, with the addition of a manufacturing use (UU-22,) which would be limited to allow only a micro-brewery with production not to exceed 5,000 barrels annually.

Public Comment: Notification was delivered to property owners within 100' of the project boundary and one public notice sign was posted on the property. Staff received no public comment.

Recommendation: Staff recommends that **I-PZD 14-4662** be forwarded to the City Council with a recommendation for approval finding that the project is compatible with existing land uses and in compliance with adopted land use policies and goals including City Plan 2030 and the Planned Zoning District ordinance as follows:

Future Land Use Plan Designation: City Neighborhood Area. *City neighborhood areas are more densely developed than residential neighborhood areas and provide a varying mix of nonresidential and residential uses.*

Goal 1: ***We will make appropriate infill and revitalization our highest priorities.*** *The city should consider mechanisms to ensure quality development and promote appropriate development that reflects the existing community character of Fayetteville's neighborhoods.*

The proposed zoning allows for the continued revitalization of an existing industrial development in a mixed residential and commercial corridor in the center of Fayetteville.

Conditions of Approval:

1. The PZD booklet and Plat shall be revised prior to City Council Submittal to specifically include the following:

- “permitted uses by right: Unit 22 – Manufacturing: specifically a microbrewery and approximately 1,000 square feet of taproom with production capacity not to exceed 5,000 bbl per year.”
- Revise the Site Planning: Parking section to specify that all parking shall be reviewed for compliance with City Code prior to business license approval.
- Section K: remove reference to City Plan 2025 and replace with City Plan 2030.
- Enclose the Zoning and Development standards in a box on the Plat.
- Add a vicinity map to the PZD Plat with zoning on the map.

PLANNING COMMISSION ACTION: Required

Date: April 14, 2014 Tabled Forwarded Denied

Motion: Chesser **Second:** Cook **Vote:** 9-0-0

CITY COUNCIL ACTION: Required

Date: May 06, 2014 Approved Denied

INFRASTRUCTURE:

Streets: The site has access to North Street, a Master Street Plan designated Principal Arterial.

Water: Water service is provided to the property through a 12” main that runs along North Street.

Sewer: Sanitary sewer service is provided to the site through an 8” main that runs along North street.

Drainage: Any additional improvements or requirements for drainage will be determined at time of development. This property is affected by the 100-year floodplain and the Streamside Protection Ordinance. Scull Creek runs across the west boundary of the property.

Fire: The Fire Department did not express any concerns with this request.

Police: The Police Department did not express any concerns with this request.

Sec. 166.06. Planned Zoning Districts (PZD)

(E) Approval or Rejection Criteria for Planned Zoning Districts

The following criteria shall be considered by the Planning Commission and City Council in the review of a planned zoning district application based on the proposed master development plan:

- (1) Whether the application is in compliance with the requirements of the UDC and the City Plan 2030;

FINDING: Staff finds that the proposed zoning is consistent with the Unified Development Code and City Plan 2030. The future land use map designates the property as a City Neighborhood Area, which is characterized as more densely populated than residential neighborhood areas, providing a mix of nonresidential and residential uses. This designation supports the widest spectrum of uses and encourages density. The proposal is to add a single use unit to the existing CS zoning, which would allow for a Manufacturing Use (UU-22) so that a craft brewery can operate on the site.

- (2) Whether the application is in compliance with all applicable statutory provisions;

FINDING: The application has been reviewed and found to be in compliance with all applicable statutory provisions.

- (3) Whether the general impact of the rezoning would adversely impact the provision of public facilities and services;

FINDING: The street infrastructure in the area is adequate to serve this development. North Street is currently a high volume principal arterial, providing a primary north/south connection through the City. The water and sewer infrastructure is adequate to serve this use.

- (4) Whether the rezoning is compatible with the surrounding land uses;

FINDING: In staff's opinion the proposed rezoning is compatible with surrounding zoning and land uses. The area has for years supported a variety of uses, including single- and multi-family residential, commercial, office, institutional, and industrial. Historically, the site has been in industrial/commercial use for decades. The proposed manufacturing use is not expected to generate adverse environmental effects, however it is typical of a brewery to produce some odor within a very limited area.

- (5) Whether the subject land is suitable for the intended use and is compatible with the natural environment;

FINDING: In staff's opinion the land is suitable for the intended use and compatible with the natural environment. The property has been in industrial use for decades, and the proposed use is a low intensity manufacturing use that does not generate dangerous waste. Modification of the property is not needed for the proposed use, the developed property can accommodate the microbrewery.

- (6) Whether the intended land use would create traffic congestion or burden the existing road network;

FINDING: North Street is a high volume Principal Arterial with capacity to carry the modest traffic generated by this property. No new development is proposed on the site at this time; traffic congestion will be evaluated at the time of any future development.

- (7) Whether the planned development provides for unified development control under a unified plan;

FINDING: No new development is planned at this time. The PZD booklet clearly defines the uses that would be allowed under the proposed I-PZD.

- (8) Whether any other recognized zoning consideration would be violated in this PZD.

FINDING: No other zoning considerations are proposed to be violated.

Sec. 161.29 Planned Zoning District

(E) *I-PZD Industrial Planned Zoning District.*

- (1) *Purpose and intent.* The I-PZD is intended to accommodate industrial parks and single use industrial developments that are determined to be more appropriate for a PZD application than a general industrial rezone. The legislative purpose, intent and application of this district include, but are not limited to, the following:
- (a) To provide for manufacturing activities in a manner compatible with the surrounding area.
 - (b) To encourage the application of sound planning and design principles in the orderly development of industrial activities.
 - (c) To maximize manufacturing potential without adversely affecting the living environment of the community.
 - (d) To encourage industrial development that is consistent with the city's General Plan.
- (2) All permitted uses identified within §162 Use Units of the Unified Development Code shall be allowed as permissible uses, unless otherwise specified, subject to City Council approval of the Planned Zoning District request.
- (3) *Conditions.*
- (a) In no instance shall the industrial use area be less than fifty-one percent (51%) of the gross leaseable floor area within the development.
 - (b) Ancillary commercial and office uses shall be compatible with the design and scale of the project.
 - (c) Residential uses must be appropriate to the scope and character of the development.
- (4) *Conditional Uses.* All conditional uses allowed within (Residential, Commercial, Industrial) zoning Districts established in the Unified Development Code shall be allowed with

Planning Commission approval, unless otherwise specified, subject to the code governing Conditional Use requests.

FINDING: The proposed planned zoning district provides for the currently allowed land uses to remain in place, and adds one additional use that is not currently allowed. Further, the additional use, UU-22, Manufacturing, will be limited to a micro-brewery use with maximum production typical of small brewing facilities. The application as Industrial under the code, however the small-scale manufacturing associated with the production of craft beers is not an intensive use that needs to be separated from surrounding residential or commercial use. The microbrewery use is appropriate in this urban setting and can be an important part of the neighborhood, contributing a unique service and gathering spot for residents in the community.

(F) ***Bulk and area regulations***

- (1) *Residential density.* Residential densities shall be determined on the basis of the following considerations:
 - (a) The densities of surrounding development;
 - (b) the densities allowed under the current zoning;
 - (c) the urban development goals and other policies of the city's General Plan;
 - (d) the topography and character of the natural environment; and
 - (e) the impact of a given density on the specific site and adjacent properties.
- (2) *Lot area and setback requirements.* Taking into consideration the unique aspects of each project, preliminary development plans for Planned Zoning Districts shall conform as closely as possible to the existing standards for lot area minimums and setback requirements under this chapter.
- (3) *Building height.* There shall be no maximum building height except as may be determined by the Planning Commission during the review of the preliminary development plan based on the uses within the development and the proximity of the development to existing or prospective development on adjacent properties. A lesser height may be established by the Planning Commission when it is deemed necessary to provide adequate light and air to adjacent property and to protect the visual quality of the community.
- (4) *Building area.* The Planning Commission shall review specific proposed lot coverages which generally correspond to the guidelines for lot coverage in the respective residential, office, commercial or industrial district which most depicts said development scheme.

Finding: Bulk and area regulations shall remain the same as that allowed under the current CS zoning district.

Required Findings for Rezoning Request.

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 zoning is consistent with Planning objectives, principles, and policies. The City Plan 2030 future land use map designates the property as a City Neighborhood Area, which is characterized as more densely populated than residential neighborhood areas, providing a mix of nonresidential and residential uses. This designation supports the widest spectrum of uses and encourages density. The proposal is to add a single use unit to the existing CS zoning, which would allow for a Manufacturing Use (UU-22) so that a craft brewery can operate on the site.

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

Finding: The property is currently zoned CS, Community Services which does not allow the proposed use. The proposed I-PZD retains all regulations of the CS zone, and allows one additional use desired by the property owner.

3. 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 would not increase the load on public services.

4. 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

BUDGET/STAFF IMPACT:

None

Attachments:

Applicant's Letter
I-PZD PLAT
I-PZD Booklet
Survey
One Mile Map
Close Up Map
Current Land Use Map
Future Land Use Map

MARCH 2, 2014

PLANNING DIVISION
CITY OF FAYETTEVILLE
113 WEST MOUNTAIN ST
FAYETTEVILLE, AR 72701

I-PZD of 701 W. North St.

APPLICANT: JASON CORRAL
1553 E. COLUMBUS BLVD.
FAYETTEVILLE, AR 72701

Dear Planning,

Please review this letter and the attached plan sheets for my submittal of the conceptual I-PZD for 701 W. North St.

SUMMARY: The 701 W. North St. I-PZD is located near the center of Fayetteville, next to the bike trail and the railroad tracks. I am proposing an addition to the Community Services zoning already in place at the location to allow for the operation of a small microbrewery, not to exceed 5000 bbl per year (the capacity allowed to microbrewery-restaurants). The premise in question will be used for manufacturing of beer along with all related processes, and will also consist of a tap-room where consumers can purchase beer brewed on-site for on-site consumption.



Front of Building at 701 W North St.



Side View of Building (West side) at 701 W North St.

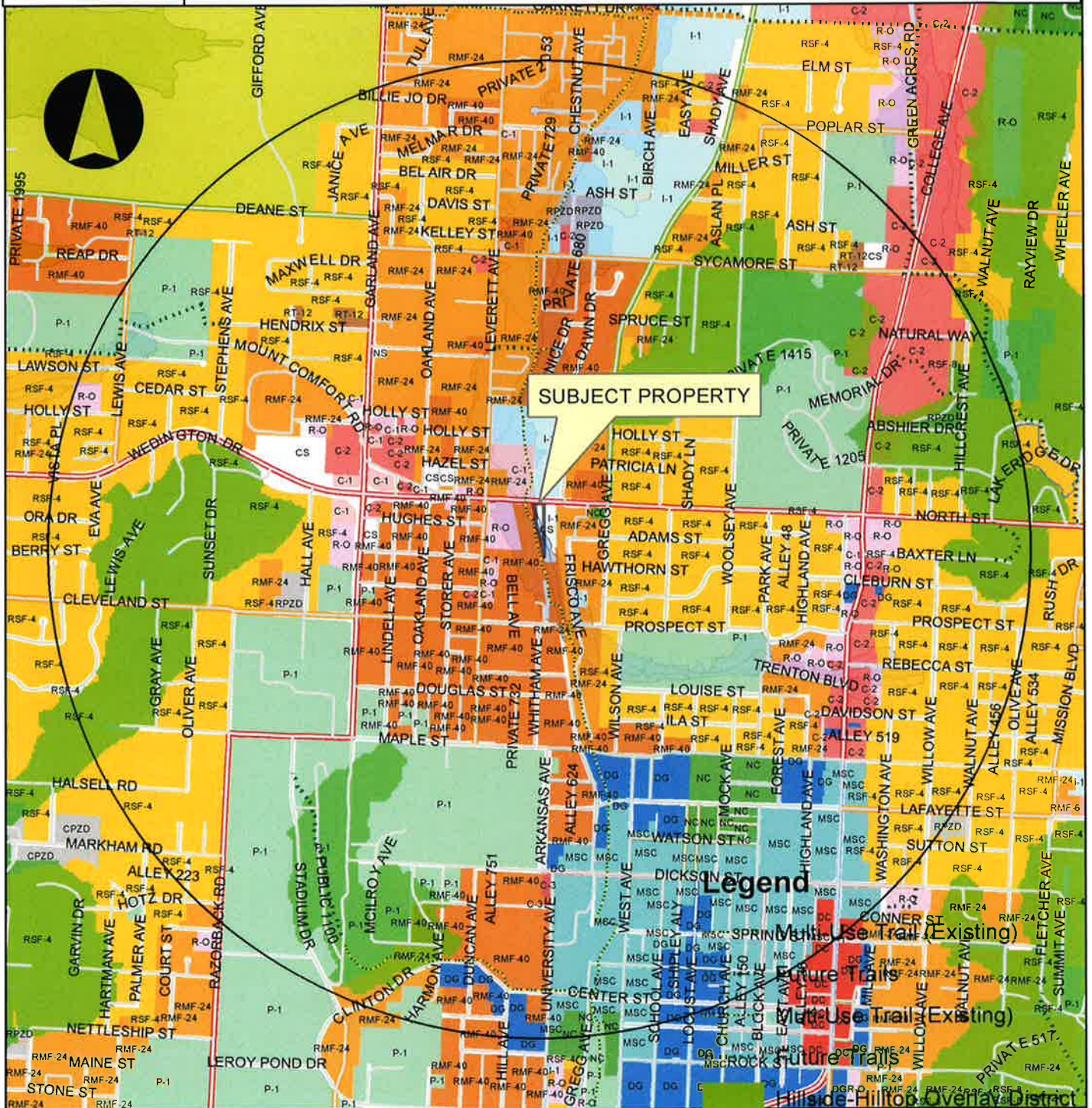


Rear View of Building at 701 W North St.

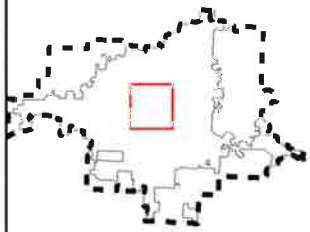
IPZD14-4662

701 W. NORTH

One Mile View



Overview



Legend

Subject Property

IPZD14-4662

Boundary

IPZD14-4662

Design Overlay District

Planning Area

Fayetteville

0 0.25 0.5

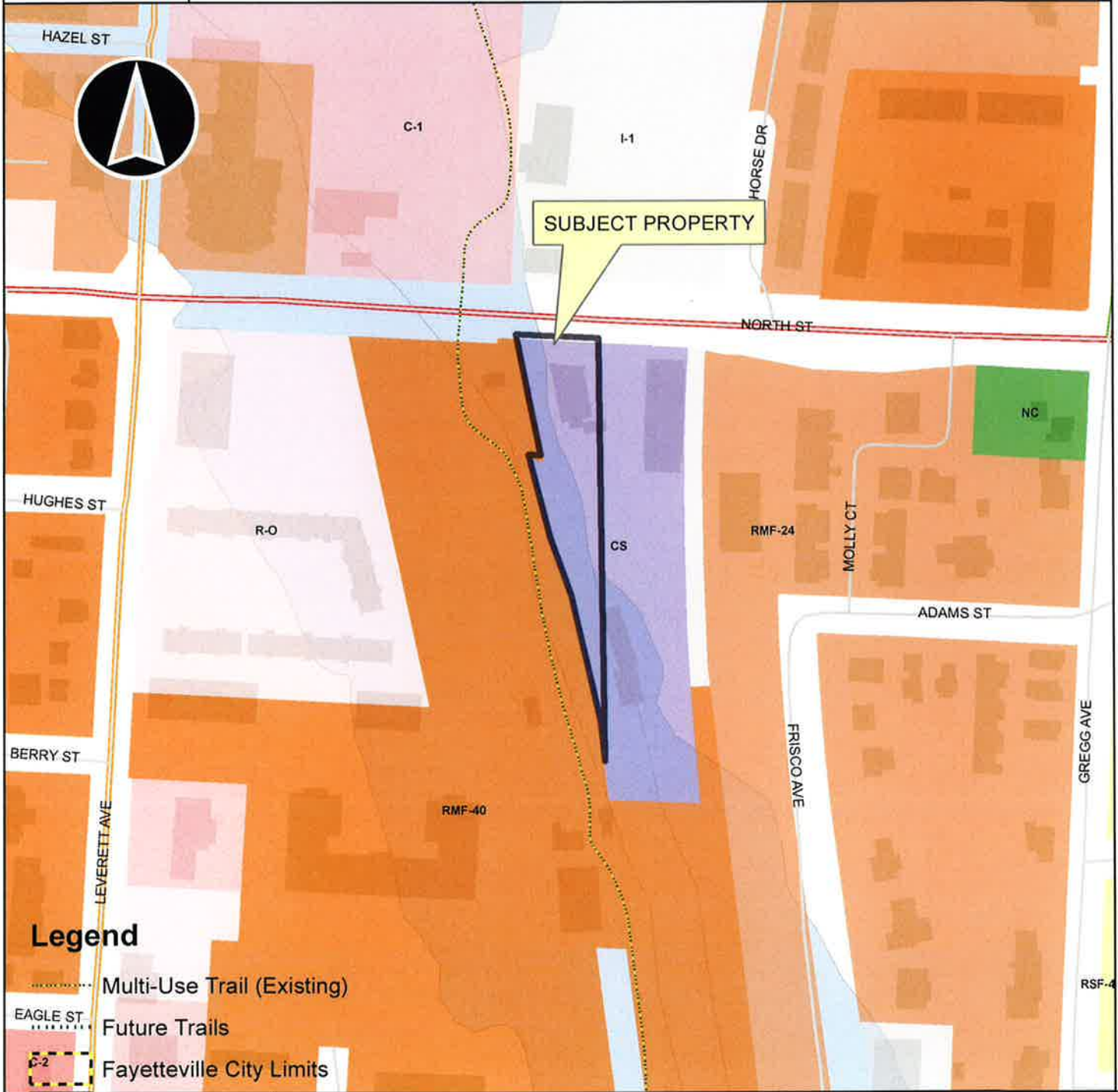
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Miles

IPZD14-4662

701 W. NORTH

Close Up View



Legend

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

Overview IPZD14-4662

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



IPZD14-4662

701 W. NORTH

Close Up View



Legend

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

Overview IPZD14-4662

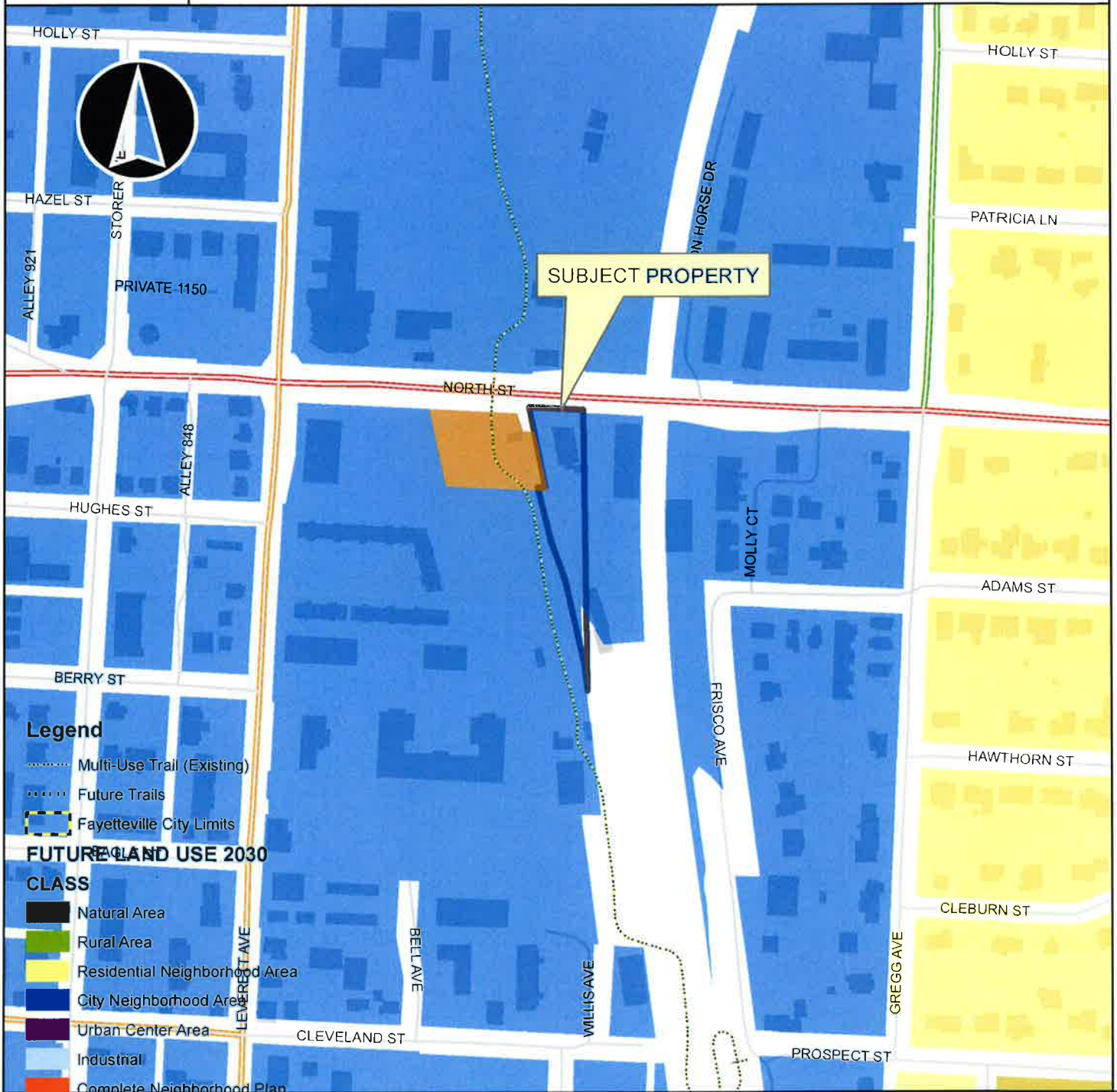
- Footprints 2010
- Hillside-Hilltop Overlay District
- Design Overlay District
- Design Overlay District
- Planning Area



IPZD14-4662

701 W. NORTH

Future Land Use



- 0 Civic and Private Open Space/Parks
- Civic Institutional
- Non-Municipal Government
- ROW
- IPZD14-4662
- Design Overlay District
- Design Overlay District
- Planning Area

