

City of Fayetteville Item Review Form

2014-0264

Legistar File Number

07/15/2014

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Quin Thompson

Submitted By

Development Services

Department

Action Required:

RZN 14-4703: Rezone (NORTHEAST CORNER OF WEDINGTON AND RUPPLE ROAD/WEDINGTON ZONE 2, 400): Submitted by CITY STAFF for property located at the NORTHEAST CORNER OF WEDINGTON AND RUPPLE ROAD within the Wedington Corridor Plan Area. The property is zoned C-1, NEIGHBORHOOD COMMERCIAL, C-2, THOROUGHFARE COMMERCIAL, and I-PZD, INDUSTRIAL PLANNED ZONING DISTRICT, and contains approximately 6.88 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

Program or Project Category

\$0.00

Project Number

Remaining Balance

Fund Name

Budgeted Item?

Budget Adjustment Attached?

V20130812

Previous Ordinance or Resolution # \_\_\_\_\_

Original Contract Number: \_\_\_\_\_

Comments:

6/11/14 [Signature]

ENTERED  
6/12/14  
[Signature]

Illing CPAC 06-11-2014  
K. [Signature] 6-12-2014

Paul A. Becher 6-12-2014

Alvin Mann 6-13-14

Trionell Jordan

## CITY COUNCIL AGENDA MEMO

### MEETING OF JULY 15, 2014

**TO:** Fayetteville City Council

**THRU:** Andrew Garner, City Planning Director *ang*

**FROM:** Quin Thompson, Current Planner

**DATE:** June 10, 2014

**SUBJECT:** **RZN 14-4703: Rezone (NORTHEAST CORNER OF WEDINGTON AND RUPPLE ROAD/WEDINGTON ZONE 2, 400):** Submitted by CITY STAFF for property located at NORTHEAST CORNER OF WEDINGTON AND RUPPLE ROAD within the Wedington Corridor Plan Area. The property is zoned C-1, NEIGHBORHOOD COMMERCIAL, C-2, THOROUGHFARE COMMERCIAL, and I-PZD, INDUSTRIAL PLANNED ZONING DISTRICT, and contains approximately 6.88 acres. The request is to rezone the property to CS COMMUNITY SERVICES.

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### RECOMMENDATION:

Staff and the Planning Commission recommend approval of an ordinance to rezone the property to CS, Community Services.

### BACKGROUND:

The subject property is located at the northeast corner of Wedington and Ruppel Road. The properties are zoned C-1, Neighborhood Commercial, C-2, Thoroughfare Commercial, and an expired I-PZD, Industrial Planned Zoning District (Westside Mini-storage) and contain a total of approximately 6.88 acres. The property directly at the northeast corner of Wedington Drive and Ruppel Road is developed with a commercial strip center, the property to the north of the commercial center is a self-storage facility; the remainder of the property is undeveloped. Prior to the adoption of the Tree Preservation Ordinance, the self-storage facility was rezoned subject to a Bill of Assurance that preserved trees on the property. If the subject rezoning is approved the Bill of Assurance would be automatically removed.

*Wedington Neighborhood:* Since 2006, The City's comprehensive land use plan (currently known as City Plan 2030) set a goal to generate a complete neighborhood plan or corridor plan on a regular basis for key areas of the City. These plans were intended to incorporate key principles of City Plan 2030, 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 Plan. During the week of October 25 through November 1, 2012, more than 100 citizens offered input on the vision for the Wedington Corridor Plan area during a charrette process that included a hands-on design session, an open design studio, and a work-in-progress session. The Wedington Corridor Plan was adopted by City

Council on March 19, 2013. Through this collaborative process the Wedington Corridor was envisioned as an area developed with a complete, compact and connected neighborhood including civic, residential and commercial uses. The vision document provides implementation 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 is a city-initiated rezoning in key locations to enable development and re-development in traditional form and to enhance opportunities for protection of the natural environment, responsible growth, and revitalization.

*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 same methodology and process is being used in the Wedington Corridor Plan Area. This area has been one of the fastest growing areas in the City of Fayetteville in the last decade, contains a significant amount of undeveloped land and continues to receive increased development pressure. 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 Plan. The subject property is a high priority area as the intersection of Wedington/Ruppel is identified as a potential location for the "heart of the neighborhood" in the plan. The subject property is currently regulated by zoning districts that are not consistent with the Wedington Corridor Plan. Based on this information, staff determined the most appropriate zoning district(s) that would bring the property into alignment with the plan and the goals of City Plan 2030.

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

*Notification and Public Comment:* Planning staff sent letters via certified mail to each property owner, summarizing the key elements of the Wedington Corridor Plan, describing staff's rezoning proposal for the specific property and noting the public hearing date, time, and location. Planning staff also spoke with the owners of the properties proposed to be rezoned. Mr. Tobin (who owns the commercial strip center at the corner of Wedington/Ruppel) objects to this rezoning, and Mr. Caudle (who owns the self-storage facility) is in favor of the rezoning.

#### **DISCUSSION:**

On June 9, 2014 the Planning Commission forwarded this item to the City Council with a recommendation of approval with a vote of 6-0-0.

#### **BUDGET/STAFF IMPACT:**

N/A

#### **Attachments:**

CC Ordinance

Exhibit A

Planning Commission Staff Report



OFFICE OF THE  
CITY ATTORNEY

DEPARTMENTAL CORRESPONDENCE



Kit Williams  
City Attorney

Blake Pennington  
Assistant City Attorney

Patti Mulford  
Paralegal

TO: **Mayor Jordan**  
**City Council**

CC: **Don Marr**, Chief of Staff  
**Jeremy Pate**, Development Services Director

FROM: **Kit Williams**, City Attorney

DATE: **June 12, 2014**

RE: **Loss of Bill of Assurance to protect trees that screen mini-storage units on Ruppel Road**

As Planner Quin Thompson points out in his memo: "Prior to the adoption of the Tree Preservation Ordinance, the self-storage facility was rezoned subject to a Bill of Assurance that preserved trees on the property. If the subject rezoning is approved the Bill of Assurance would automatically be removed."

I believe the Bill of Assurance was offered by the owner to the City to permit his construction of mini-storage units on this once forested property. As you can see on page 22, these trees are located along the borders of the mini-storage facility to screen it from neighboring residential, commercial and mixed use property. Mini-storage unit construction became so controversial and the focus of such neighborhood opposition about a decade ago that it was placed in its own use unit (38) and not allowed in any regular residentially zoned districts, nor in R-O, Neighbor Services, Neighbor Commercial, Community Services or any Downtown Zoning districts. It is allowed in Thoroughfare Commercial (C-2), Urban Thoroughfare, Heavy Commercial, Light Industrial (I-1), and

General Industrial (I-2) **only as a Conditional Use.** Screening from neighboring lots is always a consideration {see § 163.02 (C)(3)(c)(ii)e} for a Conditional Use and would normally be required by the Planning Commission when granting a Conditional Use for a proposed mini-storage.

I believe by rezoning this parcel the existing (as required by the current Bill of Assurance) trees that at least partially screen the mini-storage facility from neighboring residential, commercial and mixed used parcels would be endangered. Hopefully, the owner would not cut down the currently protected trees, but as Quin has pointed out their protection would be lost if this rezoning is approved.

**ORDINANCE NO.**

AN ORDINANCE REZONING THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 14-4703, FOR APPROXIMATELY 6.88 ACRES, LOCATED AT THE NORTHEAST CORNER OF WEDINGTON AND RUPPLE ROAD FROM C-1, NEIGHBORHOOD COMMERCIAL, C-2, THOROUGHFARE COMMERCIAL, AND I-PZD, INDUSTRIAL PLANNED ZONING DISTRICT WESTSIDE MINI-STORAGE 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 C-1, Neighborhood Commercial, C-2, Thoroughfare Commercial, and I-PZD Industrial Planned Zoning District Westside Mini-storage 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

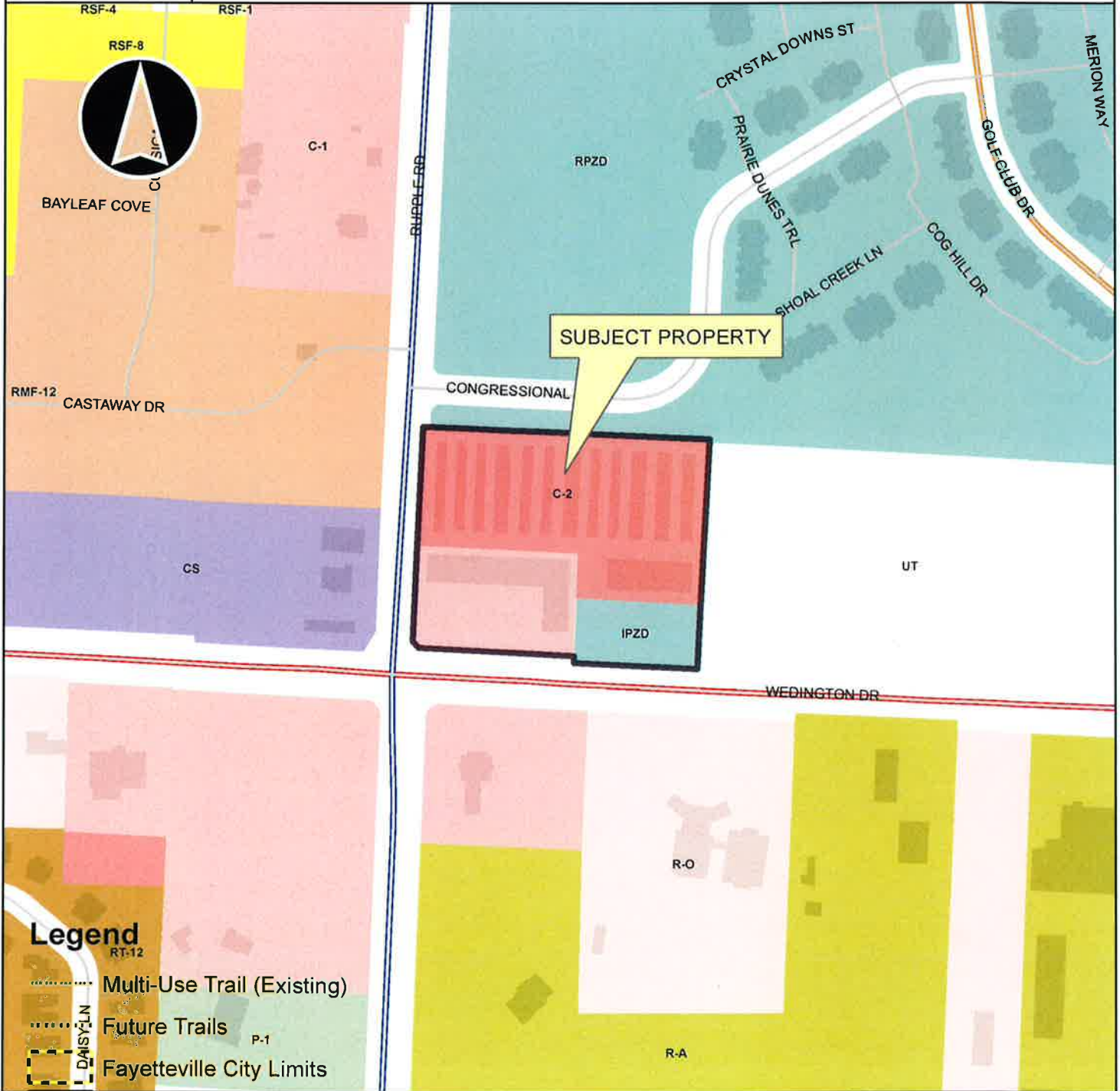
# EXHIBIT 'A'

## 14-4703

RZN14-4703






### WEDINGTON ZONE 2

Close Up View



**Overview**

RZN14-4703

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





## PLANNING COMMISSION MEMO

**TO:** Fayetteville Planning Commission

**THRU:** Andrew Garner, City Planning Director

**FROM:** Quin Thompson, Current Planner

**MEETING DATE:** ~~June 09, 2014~~ Updated June 10, 2014

**SUBJECT:** **RZN 14-4703: Rezone (NE CORNER OF WEDINGTON AND RUPPLE ROAD/WEDINGTON ZONE 2, 400):** Submitted by CITY STAFF for property located at NE CORNER OF WEDINGTON AND RUPPLE ROAD within the Wedington Corridor Neighborhood Plan Area. The property is zoned C-1, NEIGHBORHOOD COMMERCIAL, C-2, THOROUGHFARE COMMERCIAL, and I-PZD, INDUSTRIAL PLANNED ZONING DISTRICT and contains approximately 6.88 acres. The request is to rezone the property to CS COMMUNITY SERVICES

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### RECOMMENDATION:

Staff recommends forwarding **RZN 14-4703** to the City Council with a recommendation for approval.

### BACKGROUND:

The subject property is located north of Wedington and east of Ruppel Road. The properties are zoned C-1, Neighborhood Commercial, C-2, Thoroughfare Commercial, and an expired I-PZD, Industrial Planned Zoning District (Westside Mini-storage) and contain a total of approximately 6.88 acres. The property directly at the northeast corner of Wedington Drive and Ruppel Road is developed with a commercial strip center, owned by Pat and Darlene Tobin, the property to the north of the commercial center is a self-storage facility, owned by Dennis Caudle; the remainder of the property is undeveloped. Prior to the adoption of the Tree Preservation Ordinance, the self-storage facility was rezoned subject to a Bill of Assurance that preserved trees on the property. If the subject rezoning is approved the Bill of Assurance would be automatically removed. Surrounding land use and zoning is depicted on *Table 1*.

On May 12, 2014, the Planning Commission tabled this item at the request of the applicant (City of Fayetteville) to allow more time for public notification.



**Table 1  
Surrounding Land Use and Zoning**

Direction from Site	Land Use	Zoning
North	Multi-family Residential	R-PZD, Residential Planned Zoning District
South	Bank; Airways Freight (office)	C-1, Neighborhood Commercial; R-O, Residential Office
East	Undeveloped	UT, Urban Thoroughfare
West	Gas station/office	CS, Community Services

*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 2030, 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 attached to 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 same methodology and process is being used in the Wedington Master Plan Area. 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 letters 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 and noting the public hearing date, time, and location. Sample letters are included in this staff report. Planning staff also spoke with

the property owners in the rezoning area. Mr. Tobin objects to this rezoning, and Mr. Caudle is in favor of the rezoning.

**DISCUSSION:**

*Request:* The City of Fayetteville requests to rezone approximately 6.88 acres from C-1, C-2, and I-PZD to CS, Community Services.

All land uses present at the time of rezoning will be protected under *UDC Section 164.12 Non-conforming Structures, Uses, and Lots*. The existing self-storage use would be the only use that would become a non-conforming use within the CS zone. The CS zone expands the number of uses allowed by right and by Conditional Use Permit over and above those allowed within the C-1 zone.

**INFRASTRUCTURE:**

**Streets:** The site has access to Ruppel Road and Wedington Drive. Wedington Drive is a fully improved 4-lane state highway. Ruppel road is fully improved at the intersection with Wedington Drive, but has open ditches on its west side at the northern property frontage onto Ruppel Road. Required improvements would be determined at the time of development.

**Water:** Public water is accessible to the portion of the site adjacent to Ruppel Road. A 6" water main is present in Ruppel Road. Public water is not available to the Wedington Drive frontage and would have to be extended from the south side of Wedington Drive north to the property.

**Sewer:** Sanitary sewer is available to the site. A 6" main exists on the north side of Wedington Drive and an 8" main exists in Ruppel Road.

**Drainage:** Any additional improvements or requirements for drainage will be determined at time of development. This property is not affected by the 100-year floodplain or the Streamside Protection Ordinance.

**Fire:** This development will be protected by Engine 7 located at 835 Ruppel Road. It is 0.25 miles from the station with an anticipated response time of 1 minute to the beginning of the development. The Fayetteville Fire Department does not feel this rezoning will affect calls for service or response times.

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

<b>PLANNING COMMISSION ACTION: Required</b>			
Date: <u>June 09, 2014</u>	<input type="checkbox"/> Tabled	<input checked="" type="checkbox"/> Forwarded	<input type="checkbox"/> Denied
Motion: <u>Chesser</u>			
Second: <u>Autry</u>			
Vote: <u>6-0-0</u>			
<b>CITY COUNCIL ACTION: Required</b>			
Date: <u>July 07, 2014</u>	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	

**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 near the Ruppel Road and 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:** 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 are 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 property is currently zoned as C-1, C-2, and I-PZD. These zoning districts are generally incompatible 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 properties primarily consist of developed land, currently in uses that would be allowed or protected under the proposed zoning district. Increased traffic volumes are unlikely given that the existing and proposed zoning permit similar uses.**

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 could increase population density as CS is a mixed use zoning that permits residential use. However given the small size of the proposed rezoning and unlikely use of this busy corner for residential use it is not likely the subject property would be redeveloped for a high density project. Public service providers have reviewed the rezoning request and do not anticipate an undesirable increase on provision of public services.**

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**

**BUDGET/STAFF IMPACT:**

None

**ATTACHMENTS:**

- Existing and proposed zoning criteria
- Fire Department comments
- Police Department comments
- Staff's request letter
- Property owner notification letters
- Rezoning exhibit/aerial photo
- Current land use map
- Close up map
- Future land use map
- One mile map
- Wedington Corridor Illustrative Master Plan



**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
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 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.
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(F) *Building height regulations.*

Building Maximum	Height	56 ft.*
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\*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, 6-18-13; Ord. 5664, 2-18-14)



**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
Unit 44	Cottage Housing Development

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 Maximum	Height	56 ft.
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(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, 6-18-13; Ord. 5664, 2-18-14)

**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
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 21	Warehousing and wholesale
Unit 28	Center for collecting recyclable materials
Unit 29	Dance Halls
Unit 32	Sexually oriented business
Unit	Outdoor music establishments

35	
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 Maximum	Height	75 ft.*
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\*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, 6-18-13; Ord. 5664, 2-18-14)



The City of Fayetteville Fire Department  
303 W. Center St. Fayetteville, AR. 72701

Phone (479) 575-8365 Fax (479) 575-0471

**To: Quin Thompson**  
**From: Will Beeks**  
**Date: April 10, 2014**  
**Re: 14-4703**

This development will be protected by Engine 7 located at 835 Ruppel Rd.  
It is .25 miles from the station with an anticipated response time of 1 minute 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  
Assistant Fire Marshal  
Fayetteville Fire Department

Honor, Commitment, Courage;  
Our people make the difference!



**MEMORANDUM**

TO: Jesse Fulcher

FROM: Captain Jamie Fields  
Corporal Kevin Phillips

DATE: April 15, 2014

SUBJECT: 14-4703 RZN Wedington – Ruppel

In reviewing the rezoning, the Fayetteville Police Department has no issue with the request at this time. When plans are made for future development, we will review the information and provide a response.



April 1, 2014

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 Ruppel Road from C-1, Neighborhood Commercial and C-2, Thoroughfare Commercial to CS, Community Services. The City of Fayetteville is making this request because 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 developed, and while staff does not foresee redevelopment in the near future, it is appropriate to rezone the subject properties before redevelopment is proposed.

Existing uses will be protected and limited by ordinance (UDC 164.12) and the existing businesses will not be adversely impacted by the rezone.

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.

Sincerely,

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



May 21, 2014

Dennis Caudle  
c/o West Side Storage, Inc.  
1192 N Ruppel Road,  
Fayetteville, AR 72704

RE: Wedington Plan Rezoning (Revised Hearing Date)

Dear Mr. Caudle,

This letter is in reference to your property, parcel #765-16231-000, located northeast of the intersection of Wedington and Ruppel Roads, and 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 **June 09, 2014** and propose to rezone your property (the parcel referenced above) from C-2, Thoroughfare Commercial and I-PZD (expired) to CS, Community Services. Included in this letter are the uses and criteria for the current zoning districts (C-2, Thoroughfare Commercial.) and the proposed zoning district (CS, Community Services.) Should you have any questions or concerns about this information, please contact me.

Project Description:

**The City of Fayetteville proposes to rezone select properties, being within the Wedington Corridor Neighborhood Master Plan area, from C-2, Thoroughfare Commercial and I-PZD (expired) to CS, Community Services.**

Public Hearings:

At the request of the applicant (City of Fayetteville,) this request was tabled at the Planning Commission meeting of May 12, 2014.

The next scheduled public hearing on the rezoning proposal is the Planning Commission meeting at **5:30 PM on June 09, 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  
Current Planner  
City of Fayetteville  
Ph 479-575-8327  
[qthompson@fayetteville-ar.gov](mailto:qthompson@fayetteville-ar.gov)

att: C-2 Zoning District  
CS Zoning District



May 21, 2014

Patrick J & Darlene Tobin  
2901 N Tobin Ln  
Fayetteville, AR 72703-6409

RE: Wedington Plan Rezoning (revised hearing date)

Dear Mr. & Mrs. Tobin,

This letter is in reference to your properties, parcels #765-16232-000 and #765-16233-000, located northeast of the intersection of Wedington and Ruppel Roads, and 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 **June 09, 2014**, and propose to rezone your property (the parcel referenced above) from C-1, Neighborhood Commercial to CS, Community Services. Included in this letter are the uses and criteria for the current zoning districts (C-1, Neighborhood Commercial) and the proposed zoning district (CS, Community Services.) Should you have any questions or concerns about this information, please contact me.

Project Description:

**The City of Fayetteville proposes to rezone select properties, being within the Wedington Corridor Neighborhood Master Plan area, from C-1, Neighborhood Commercial to CS, Community Services.**

Public Hearings:

At the request of the applicant (City of Fayetteville,) this request was tabled at the Planning Commission meeting of May 12, 2014.

The next scheduled public hearing on the rezoning proposal is the Planning Commission meeting at 5:30 PM on June 09, 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.

Respectfully,

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

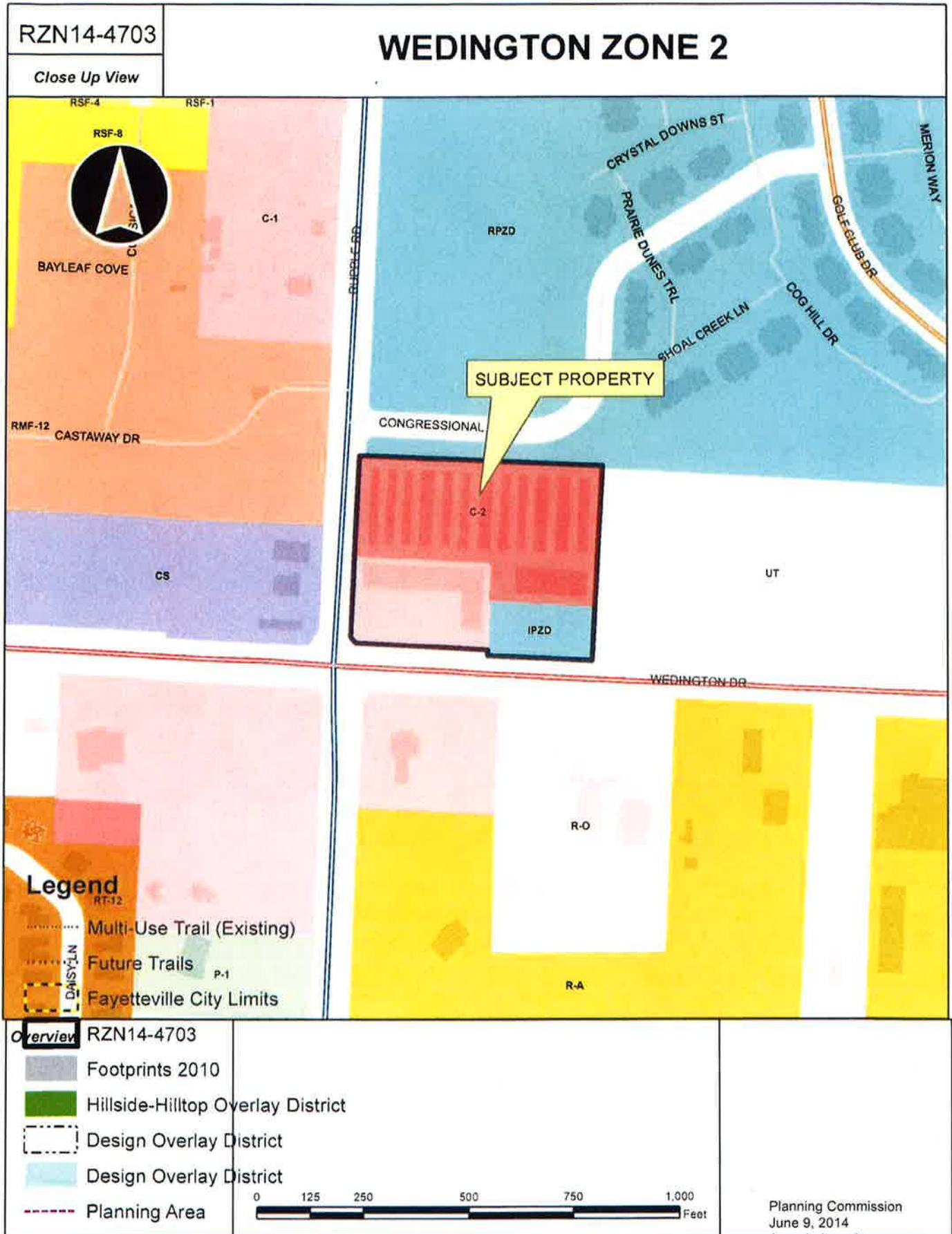
att: C-1 Zoning District  
CS Zoning District

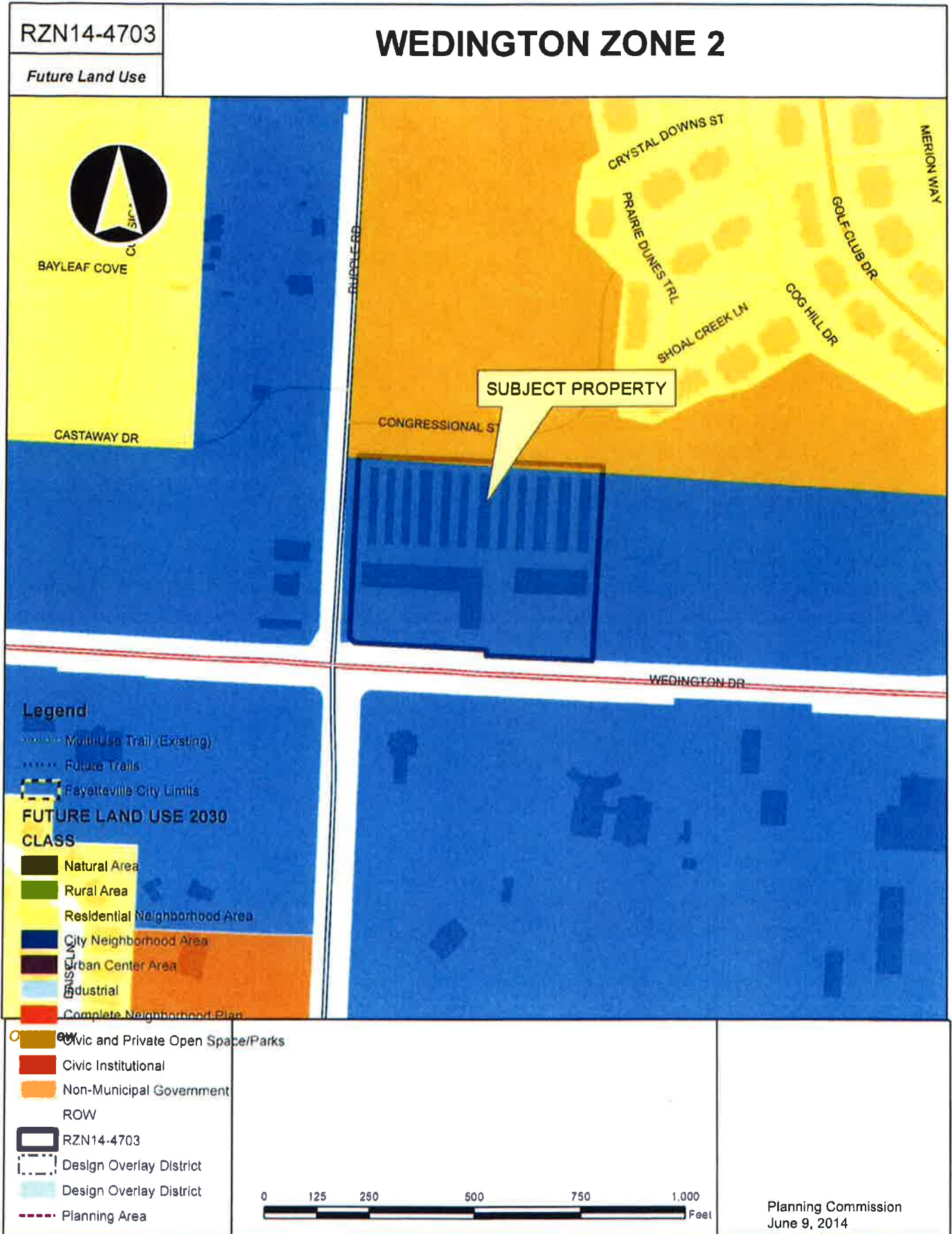


RZN14-4703	<h1>WEDINGTON ZONE 2</h1>
<i>Current Land Use</i>	



<b>Overview</b>	RZN14-4703	
	Footprints 2010	
	Hillside-Hilltop Overlay District	
	Design Overlay District	
	Design Overlay District	
	Planning Area	
		Planning Commission June 9, 2014 Agenda Item 4 14-4703 RZN (Wedington Zone 2) Page 22 of 26





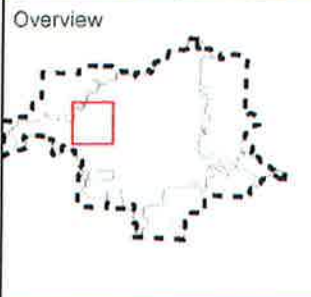
RZN14-4703

# WEDINGTON ZONE 2

One Mile View



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

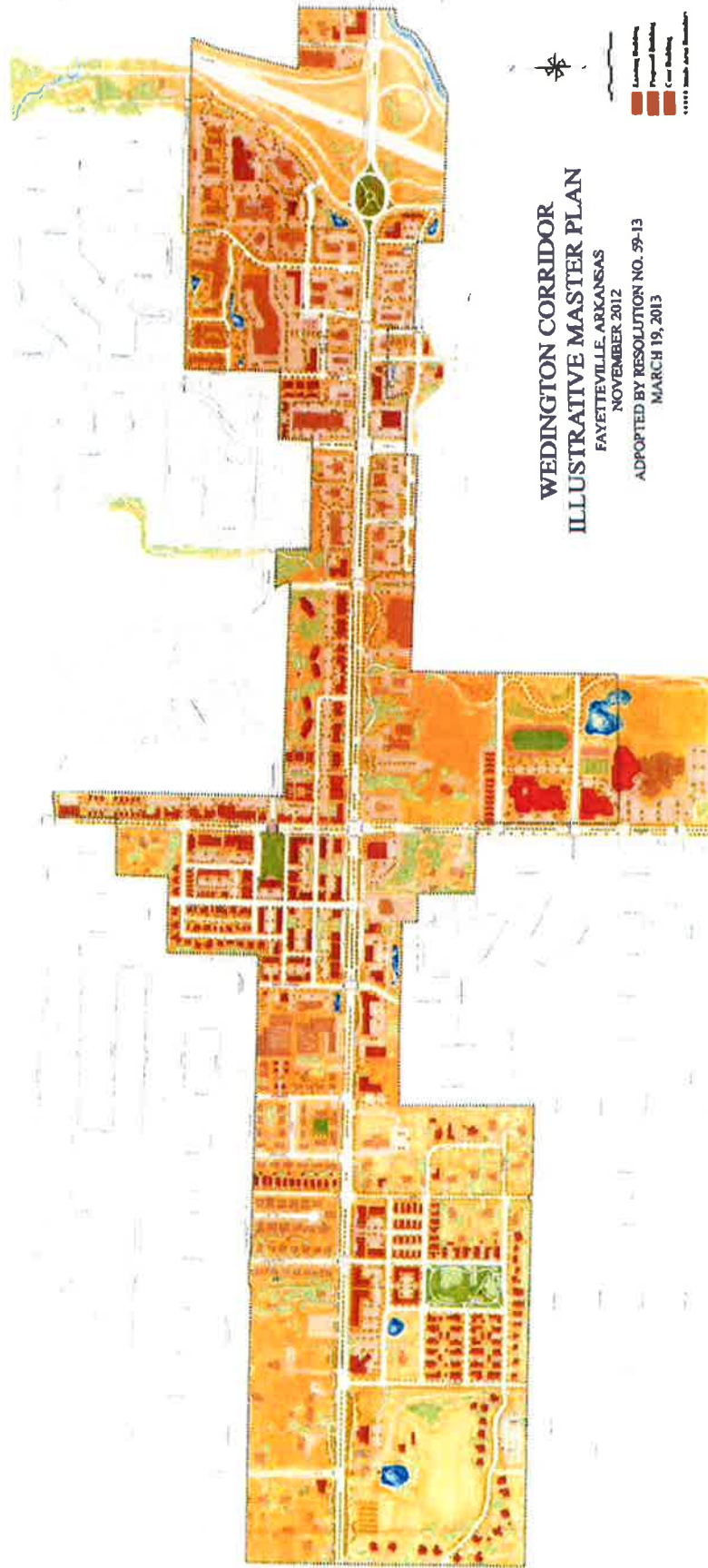


**Legend**

- Subject Property
- RZN14-4703
- Boundary
- Design Overlay District
- Planning Area
- Fayetteville

0    0.25    0.5    1  
 Miles





**WEDINGTON CORRIDOR  
ILLUSTRATIVE MASTER PLAN**

FAYETTEVILLE, ARKANSAS

NOVEMBER 2012

ADOPTED BY RESOLUTION NO. 59-13

MARCH 19, 2013

