



CITY COUNCIL AGENDA MEMO

MEETING OF NOVEMBER 6, 2014

TO: Fayetteville City Council

THRU: Andrew Garner, Planning Director

FROM: Jesse Fulcher, Senior Planner

DATE: October 14, 2014

SUBJECT: **RZN 14-4850: Rezone (NORTHEAST CORNER OF MLK BLVD. AND S. HILL AVE./HANNA'S LANDING, 522):** Submitted by CEI ENGINEERING for property located ON THE NORTH SIDE OF MLK BLVD. BETWEEN GOVERNMENT AVE. AND HILL AVE. The property is zoned I-1, HEAVY COMMERCIAL/LIGHT INDUSTRIAL and contains approximately 4.96 acres. The request is to rezone the property to C-2, THOROUGHFARE COMMERCIAL.

RECOMMENDATION:

The Planning Commission and City Planning Staff recommend denial of an ordinance to rezone the property to C-2, Thoroughfare Commercial.

BACKGROUND:

The subject property is located at the northwest corner of Martin Luther King, Jr. Boulevard and Government Avenue and contains 12 separate lots that are all zoned I-1, Heavy Commercial/Light Industrial. The property owner also owns two adjacent lots along Hill Avenue that are already zoned C-2, Thoroughfare Commercial. The industrial properties are developed with several existing businesses, including warehousing, car repair and U-Haul rentals. Surrounding land uses vary widely and include residential, office, repair, and retail.

There are many legally tested factors to consider with a rezoning proposal. Consistency with a City's General Land Use Plan (City Plan 2030) and compatibility with adjacent properties are two of the primary considerations, among others such as logical public opposition, traffic safety and congestion, good civic design and efficiency, property value considerations, and so forth. Because the City Plan incorporates many of the zoning considerations within its comprehensive policy recommendations, this plan is often cited in staff's reports to the Planning Commission and City Council. However, City Plan 2030 remains a policy guide and is clearly not written nor intended to be a requirement for any specific type of zoning. Rather, each rezoning application that comes before the City Council is unique and reviewed by staff and the Council on its own merit.

As noted above, compatibility is often a major factor in a zoning application. Land use compatibility cannot be determined by the color shades of a zoning map. It often is determined by civic design, including building scale, mass, orientation and traffic, and importantly considers the context of surrounding parcels of land, both in present and potential character. "Compatibility does not mean 'the same as.' Rather, compatibility refers to the sensitivity of development proposals in maintaining the character of existing development." (Hudson, Ohio: Land Development Code)

Directly adjacent to this property and in the immediate surroundings are small scale residences and businesses, many constructed from 1900-1950. It is expected that rezoning almost 5-acres of property to C-2, Thoroughfare Commercial will promote a highway-style development pattern that is incompatible with the small-scale, historic fabric of the surrounding neighborhood. There is not another zoning of this nature and size along Martin Luther King, Jr. Boulevard until closer to the intersection of Razorback Road. The land uses there include strip commercial centers, fast-food restaurants and gasoline service stations, so the overall character of the C-2 zone is clearly apparent in our city. Accordingly, the subsequent development pattern on this 5-acre parcel will likely include a large, single-use building located at the back of the property and a parking lot containing several acres located along Martin Luther King, Jr. Boulevard and Government Street. Ultimately, the question for the Council seems to be “is this rezoning and the development pattern that it creates appropriate and compatible for this particular property, given all the factors that may be considered in a rezoning application?” In staff’s view, the C-2 zone and subsequent development pattern does not reflect, complement, or consider the surrounding building scale, building mass, or building orientation and therefore is not compatible. And because this development style is primarily oriented to automobile traffic, automobile usage will be intensified on the surrounding small-scale streets that serve the existing neighborhoods.

*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. This designation supports the widest spectrum of uses and encourages density in all housing types, from single-family to multi-family. Non-residential uses range in size, variety and intensity from grocery stores and offices to churches, and are typically located at corners and along connecting corridors. The street network should have a high number of intersections creating a system of small blocks with a high level of connectivity between neighborhoods. Setbacks and landscaping are urban in form with street trees typically being located within the sidewalk zone.*

City Neighborhood Areas encourage complete, compact, and connected neighborhoods and are intended to serve the residents of Fayetteville, rather than a regional population. While they encourage dense development patterns, they do recognize existing conventional strip commercial developments and their potential for future redevelopment in a more efficient urban layout. In addition, the subject property is directly adjacent to the Downtown Master Plan boundary, and an area known as the Mill District. Excerpts further describing these areas have been included in the staff report.

Goal 1 of City Plan 2030 makes appropriate infill and revitalization our highest priorities. This goal promotes redevelopment that reflects the existing community character of neighborhoods. The C-2 zoning district is a conventional commercial zoning district, modeled for the auto-oriented development patterns popularized by highway expansions over the last 60 years. This designation is not consistent with the traditional town components that still exist around this site.

All of this area was once a traditional residential neighborhood. Over time it has been split by Martin Luther King Boulevard, once a two-lane residential street, and many of the original homes were demolished to make way for new commercial developments. Because of these changes the area now simultaneously reflects two very different development scenarios. The first is a traditional neighborhood with homes lining the street and low traffic speeds. This is the development pattern to the north, south and east and reflects new development patterns under construction currently in the immediate vicinity. The second is a highway corridor lined with strip centers and fast food restaurants. This is the development pattern further to the west. Rezoning 4.96 acres to C-2, in staff’s opinion, will promote new suburban commercial development and further fragment a historic neighborhood.

Goal 2 of City Plan 2030 discourages suburban sprawl. The location of this property is quite urban in nature - part of a neighborhood that developed in the first quarter of the 20th century, which retains a mixture of residential and small-scale commercial uses. However, the land use pattern commonly developed in the C-2 zoning district is low density, automobile dependent, energy and land consumptive, and requires a high ratio of paved surface to development served. In staff's opinion the land use pattern proposed and expected within a C-2 zoning district is much more aligned with suburban forms of development than urban infill.

Goal 3 of City Plan 2030 encourages traditional town form to be the standard development pattern. However, the C-2 zoning district tends to promote a suburban development pattern with sites designed around parking lots and highway access instead of the neighborhoods which they border. A C-2 rezoning in this location would run counter to the City's vision for redevelopment adjacent to downtown into a more urban and walkable environment. This vision adopted by the City Council with hundreds of citizens' input is feasible in this area because of the close proximity to downtown, Frisco Trail, the University of Arkansas and Fayetteville High School, and several medium to high density residential neighborhoods.

DISCUSSION:

On October 13, 2014 the Planning Commission voted on this item with a recommendation for approval. The recommendation failed with a vote of 0-8-0.

BUDGET/STAFF IMPACT:

N/A

Attachments:

CC Ordinance

Exhibit A

Exhibit B

Planning Commission Staff Report



2700 S. Armstrong Avenue
Fayetteville, Arkansas 72701
Tel. (479) 718-7700
Fax (479) 443-5473
<http://www.hannascandles.com>

October 14, 2014

Mayor Lioneld Jordan
Members of the Fayetteville City Council
City of Fayetteville, Arkansas

Attn: Sondra Smith, City Clerk **Via Email and Hand Delivery**
City of Fayetteville
113 West Mountain
Fayetteville, AR 72701

Re: RZN 14-4850
Planning Commission Agenda Item No. 12
NE Corner of MLK Blvd. and S. Hill Ave./Hanna's Landing

Dear Mayor Jordan and Members of the Council:

This letter is being sent by the owners of the above property to respectfully appeal the action of the Fayetteville Planning Commission at its meeting on October 13, 2014 in regard to the above-referenced application. Our application was to rezone the property from its current zoning designation, I-1 Heavy Commercial/Light Industrial to C-2 Thoroughfare Commercial pursuant to the Unified Development Code ("UDC") of the City of Fayetteville. The Planning Commission voted to recommend denial of the rezoning to the City Council.

We believe the Planning Commission erred in its decision to deny in that the decision was not based on legitimate land use-based considerations and the applicable UDC C-2 zoning code provisions.

We request that this appeal be placed on the next available City Council agenda for consideration. Please notify us, and our authorized representative, Mr. Stephen R. Giles, of the date that this item will be on the Council's agenda and also of any notices that need to be sent or published by the applicant prior to the hearing date.

If you have any questions or need additional information, please do not hesitate to let us and our representative know.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Burr Hanna", is written over a horizontal line.

Burr Hanna, Owner

ORDINANCE NO.

AN ORDINANCE REZONING THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 14-4850, FOR APPROXIMATELY 4.96 ACRES, LOCATED ALONG THE NORTH SIDE OF MARTIN LUTHER KING BOULEVARD BETWEEN GOVERNMENT AND HILL AVENUES, FROM I-1, HEAVY COMMERCIAL/LIGHT INDUSTRIAL, TO C-2, THOROUGHFARE COMMERCIAL.

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 C-2, THOROUGHFARE COMMERCIAL, 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

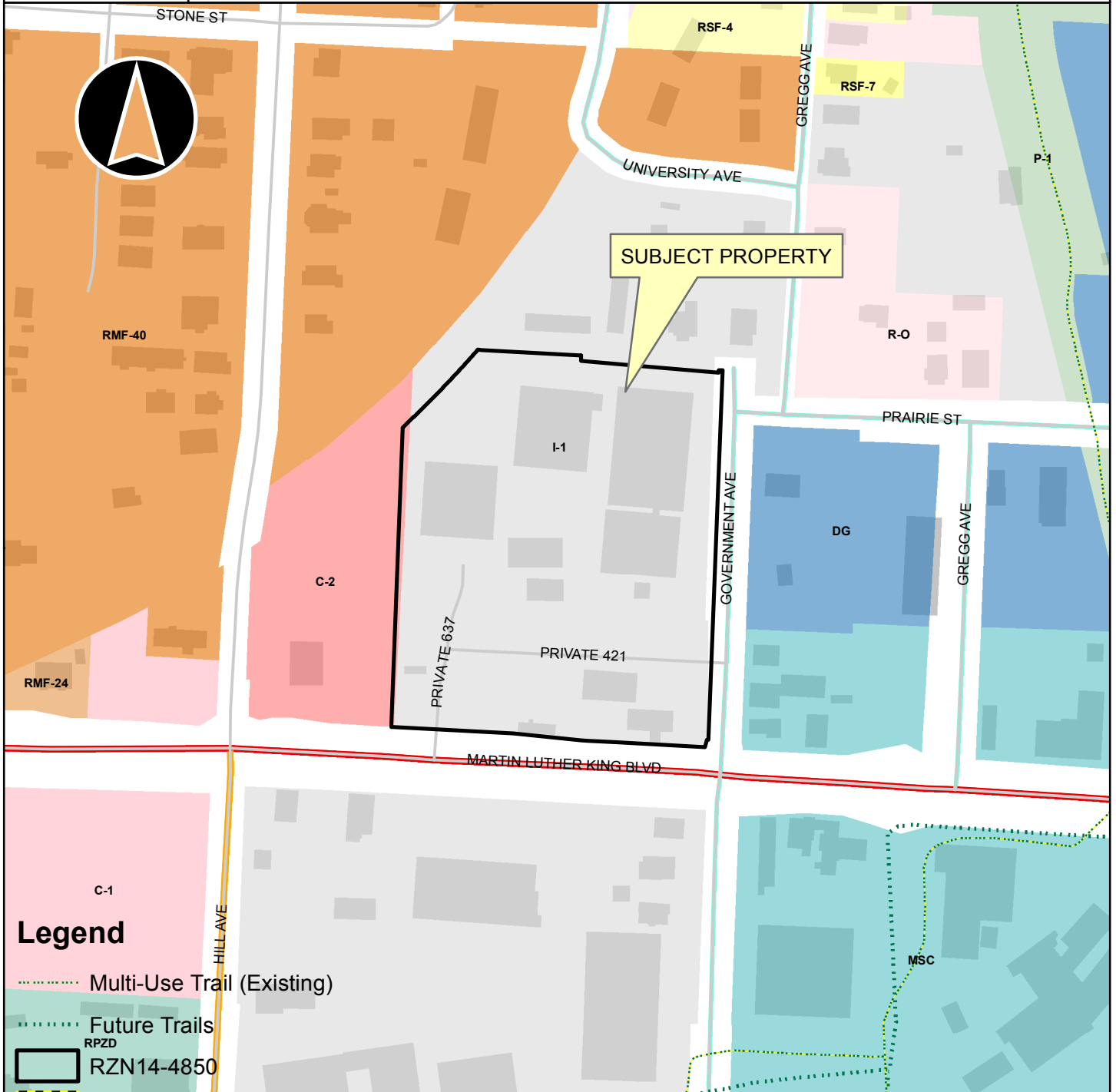
By: _____
SONDRA E. SMITH, City Clerk/Treasurer

EXHIBIT "A"

RZN14-4850

HANNA'S LANDING

Close Up View



Legend

- Multi-Use Trail (Existing)
- Future Trails
- RPZD
- RZN14-4850

Overview

- Fayetteville City Limits
- Footprints 2010
- Hillside-Hilltop Overlay District
- Design Overlay District
- Design Overlay District
- Planning Area

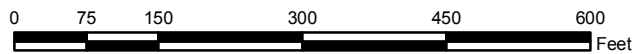


EXHIBIT "B"

Industrial Zoning Description:

A tract of land being a part of the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) of Section 16, Township 16 North, Range 30 West, Washington County, Arkansas, more particularly described by metes and bounds as follows:

COMMENCING at a found 3/4" steelbar at the Northeast corner of said Quarter, Quarter according to Plat Book 4, Page 97, dated 21, February 1923; Thence along East line of said Quarter, Quarter South 02° 39' 57" West, a distance of 424.27 feet; Thence leaving said East line North 86° 28' 38" West, a distance of 227.07 feet to the West Right-of-Way of S. Government Ave., A.K.A. National Cemetery Road, according to Deed Book Y, Page 315-315 dated 3, February 1875; Thence along said West Right-of-Way South 02° 39' 57" West a distance of 10.09 feet for the **POINT of BEGINNING**;

Thence along said West Right-of-Way South 02° 39' 57" West, a distance of 501.67 feet to the North Right-of-Way of W. Martin Luther King Blvd. according to Arkansas Highway Commission Document No. 93-16505;

Thence along said North Right-of-Way the following seven (7) courses:

- (1) North 86° 17' 47" West a distance of 1.87 feet;
- (2) South 17° 23' 19" West a distance of 10.30 feet;
- (3) North 86° 34' 45" West a distance of 160.00 feet;
- (4) North 83° 43' 00" West a distance of 8.55 feet;
- (5) North 83° 43' 00" West a distance of 91.58 feet;
- (6) North 86° 35' 01" West a distance of 164.18 feet;
- (7) North 86° 35' 01" West a distance of 1.99 feet;

Thence leaving said North Right-of-Way North 02° 39' 57" East a distance of 406.58 feet to the East Right-of-Way of Arkansas and Missouri Railroad Company and along a non-tangent curve to the left, with a length 146.98 feet, having a radius of 1482.69 feet, through a central angle of 05°40'47", and having a chord which bears North 44° 29' 37" East a distance of 146.92 feet to a non-tangent line; Thence along said line, South 86° 28' 38" East a distance of 140.24 feet; Thence leaving said line, South 03° 34' 11" West a distance of 7.93 feet; Thence South 84° 46' 12" East a distance of 69.03 feet; Thence South 84° 39' 10" East a distance of 118.31 feet; Thence North 03° 34' 11" East a distance of 3.67 feet; Thence South 86° 25' 49" East a distance of 5.28 feet to the **POINT of BEGINNING** and containing 216,008 square feet or 4.96 acres, more or less.



Government Ave.





Government Ave.





Martin Luther King Blvd.





Hill Ave.





Prairie St.





South St.





5th St.





Mill District





Martin Luther King Blvd.





West Ave.





PLANNING COMMISSION MEMO

TO: City of Fayetteville Planning Commission

THRU: Andrew Garner, Planning Director

FROM: Jesse Fulcher, Senior Planner

MEETING DATE: ~~October 6, 2014~~ Updated October 15, 2014

SUBJECT: **RZN 14-4850: Rezone (NORTHEAST CORNER OF MLK BLVD. AND S. HILL AVE./HANNA'S LANDING, 522):** Submitted by CEI ENGINEERING for property located at ON THE NORTH SIDE OF MLK BLVD. BETWEEN GOVERNMENT AVE. AND HILL AVE. The property is zoned I-1, HEAVY COMMERCIAL/LIGHT INDUSTRIAL and contains approximately 4.96 acres. The request is to rezone the property to C-2, THOROUGHFARE COMMERCIAL.

RECOMMENDATION:

Staff recommends denial of **RZN 14-4850**.

BACKGROUND:

The subject property is located at the northwest corner of Martin Luther King Boulevard and Government Avenue and contains 12 separate lots that are all zoned I-1, Heavy Commercial/Light Industrial. The property owner also owns two adjacent lots along Hill Avenue that are already zoned C-2, Thoroughfare Commercial. The industrial properties are developed with several existing businesses, including warehousing, car repair and U-Haul rentals. Surrounding land uses vary widely and include residential, office, repair, and retail. The surrounding zoning and land uses are depicted in *Table 1*.

Table 1 - Surrounding Zoning and Land Use

Direction from Site	Land Use	Zoning
North	Commercial/single-family residential	I-1, Heavy Commercial/Light Industrial
South	Commercial	I-1, Heavy Commercial/Light Industrial
East	Commercial/single-family residential	DG, Downtown General/MSC, Main Street Center
West	Undeveloped/Commercial/Railroad	C-2, Thoroughfare Commercial

Request: The request is to rezone the property from I-1, Heavy Commercial/Light Industrial to C-2, Thoroughfare Commercial.

Public Comment: Staff has received comments from several members of the public who are opposed to the rezoning.

INFRASTRUCTURE:

- Streets:** The site has two access points to Hill Avenue and Government Avenue, which are both local streets, and Martin Luther King Boulevard, a principal arterial. Any improvements to these streets will be determined at the time of development.
- Water:** Public water is accessible to the site. There is a 12-inch water main along Martin Luther King Boulevard and a 4-inch water main along Government Avenue.
- Sewer:** Sanitary sewer is available to the site. There is an 8-inch sewer main along Martin Luther King Boulevard and a 10-inch sewer main along Government Avenue.
- 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 1 located at 303 W. Center Street. It is 1 mile from the station with an anticipated response time of 2 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 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. This designation supports the widest spectrum of uses and encourages density in all housing types, from single-family to multi-family. Non-residential uses range in size, variety and intensity from grocery stores and offices to churches, and are typically located at corners and along connecting corridors. The street network should have a high number of intersections creating a system of small blocks with a high level of connectivity between neighborhoods. Setbacks and landscaping are urban in form with street trees typically being located within the sidewalk zone.*

City Neighborhood Areas encourage complete, compact, and connected neighborhoods and are intended to serve the residents of Fayetteville, rather than a regional population. While they encourage dense development patterns, they do recognize existing conventional strip commercial developments and their potential for future redevelopment in a more efficient urban layout.

Guiding Policies:

- a. Protect adjoining properties from the potential adverse impacts associated with non-residential uses adjacent to and within residential areas with proper mitigation measures that address scale, massing, traffic, noise, appearance, lighting, drainage, and effects on property values.

- b. Provide non-residential uses that are accessible for the convenience of individuals living in residential districts and where compatibility with existing desirable development patterns occurs.
 - c. Reduce the length and number of vehicle trips generated by residential development by enhancing the accessibility to these areas; encourage walkability as part of the street function. Neighborhood shopping should be within walking distance of residential use, or approximately one-quarter mile.
 - d. Encourage developers to designate and plan for mixed-use corners at the time of approval to properly plan for accessibility to these areas.
 - e. Encourage pedestrian-friendly, mixed-use buildings through the use of transparent glass for commercial uses at street level and building entrances that address the street.
 - f. Encourage a block-and-street layout that promotes walkable, cyclist-friendly road designs with slow design speeds.
 - g. Encourage mixed-use development that is sensitive to surrounding residential uses and allows for day and night utilization of available parking.
 - h. Utilize principles of traditional residential urban design to create compatible, livable and accessible neighborhoods.
 - i. Encourage properties to redevelop in an urban form.
 - j. Protect and restore Fayetteville's outstanding residential architecture of all periods and styles.
 - k. Utilize the Master Street Plan and incorporate bike lanes, parkways and landscaped medians to preserve the character of the City and enhance the utilization of alternative modes of transportation.
-
- l. Manage non-residential development within and adjoining residential neighborhoods to minimize nuisances.
 - m. Minimize through traffic on minor residential streets, while providing connections between neighborhoods to encourage openness and neighborliness.

Finding: Based upon a number of guiding policies above, staff finds the C-2 zoning district in this particular location to be inconsistent with the City Neighborhood Area designation and the context of the site adjacent to the Downtown Master Plan neighborhood boundary. Commercial use of the property could be appropriate, since the property is along a connecting corridor. However, the most appropriate zoning district is one that requires a development form consistent with a traditional city neighborhood, which is the historical context of this area.

DISCUSSION:

FINDINGS OF THE STAFF

RECOMMENDATION: Staff recommends denial of **RZN 14-4850**.

PLANNING COMMISSION ACTION:	Required	<u>YES</u>	
Date: <u>October 13, 2014</u>	<input type="checkbox"/> Tabled	<input type="checkbox"/> Forwarded	<input checked="" type="checkbox"/> Denied
Motion: Winston (Motion to approve)	Second: Cook	Vote: 0-8-0(Motion Failed)	
CITY COUNCIL ACTION:	Required	<u>YES</u>	
Date: <u>November 6, 2014</u>	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	

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: The subject properties are underutilized and contain a variety of industrial building types that do not fit in well with the residential and small scale commercial uses along Martin Luther King Boulevard, Government Avenue, Gregg Avenue and Prairie Street. Rezoning the property will allow infill and revitalization, which staff and the Council supports as a general policy. However, the character and design of the new project will be heavily influenced by the new zoning designation and associated development requirements.

Goal 1 of City Plan 2030 promotes redevelopment that reflects the existing community character of neighborhoods. The C-2 zoning district is a conventional commercial zoning district, modeled for the auto-oriented development patterns popularized by highway expansions over the last 60 years. This designation is not consistent with the traditional town components that still exist around this site.

All of this area was once a traditional residential neighborhood. Over time it has been split by Martin Luther King Boulevard, once a two-lane residential street, and many of the original homes were demolished to make way for new commercial developments. Because of these changes the area now simultaneously reflects two very different development scenarios. The first is a traditional neighborhood with homes lining the street and low traffic speeds. This is the development pattern to the north, south and east. The second is a highway corridor lined with strip centers and fast food restaurants. This is the development pattern to the west. Rezoning 4.8 acres to C-2 will promote new suburban commercial development and further fragment a historic neighborhood.

Goal 2 of City Plan 2030 discourages suburban sprawl. The location of this property is quite urban in nature - part of a neighborhood that developed in the first quarter of the 20th century. However, the land use pattern commonly developed in the C-2 zoning district is low density, automobile dependent, energy and land consumptive, and requires a high ratio of paved surface to development served. The applicant notes in their submittal letter that the intent is to develop a Neighborhood Market, fueling station and parking lot. The most recent Neighborhood Market in Fayetteville contained 40,000 square feet and 189 parking spaces. Assuming a similar development scenario, the current site (total development site is 5.91 acres) will have a building coverage of only 15%. Put another way, a downtown property with over 257,000 square feet and 1,100 linear feet of public street, water and sewer frontage will be developed with a 40,000 square foot building. In staff's opinion the land use pattern proposed and expected within a C-2 zoning district is an inefficient use of land and public infrastructure, and much more aligned with suburban forms of development than urban infill.

Goal 3 of City Plan 2030 encourages traditional town form to be the standard development pattern. However, the C-2 zoning district tends to promote a suburban development pattern with sites designed around parking lots and highway access instead of the neighborhoods which they border. A C-2 rezoning in this location would oppose the City's vision for redevelopment adjacent to downtown into a more urban and walkable environment. This vision adopted by the City Council with hundreds of citizens' input is feasible in this area because of the close proximity to downtown, Frisco Trail, the University of Arkansas and Fayetteville High School, and several medium to high density residential neighborhoods.

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

Finding: Rezoning the property to allow for redevelopment and efficient use of existing infrastructure is appropriate. However, the zoning should be consistent with land use planning objectives and policies. In staff's opinion the C-2 zoning district is inappropriate for the subject property, because it is not consistent with the surrounding community character. The subject properties are part of the County Court Plat, which dates to the first quarter of the 20th Century. There are still a number of original homes on Government Street dating back to 1926. Property on the east side of Government Street is zoned Main Street Center and is part of the Downtown Master Plan. The character of this area is original Fayetteville, urban core, and a traditional development pattern. In staff's opinion the rezoning proposal is not justified at this time.

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

Finding: The properties are currently mostly used as industrial warehouse space, so there is little traffic generated from the overall property. Rezoning the property to C-2 and redeveloping the site in accordance with the allowable zoning regulations will likely increase traffic on the surrounding street

system, including Gregg Avenue, which is a very narrow street. In addition, rezoning the property to C-2 will likely increase vehicle turning movements on Martin Luther King Boulevard, a congested principal arterial.

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 I-1 to C-2 will allow some residential uses, which could have some impact on population density. However, it is unlikely that any residential development allowed under the C-2 zoning standards would have a negative impact on 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

BUDGET/STAFF IMPACT:

None

Attachments:

- Unified Development Code sections 161.20 & 161.27
- Request Letter
- Site Plan
- Fire response letter
- Public Comment
- City Plan 2030 – City Neighborhood Areas
- Downtown Master Plan boundary map
- Sanborn Map
- Photographs
- One Mile Map
- Close Up Map
- Current Land Use Map
- Future Land Use Map

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 35	Outdoor music establishments
Unit 36	Wireless communications facilities
Unit 38	Mini-storage units
Unit 40	Sidewalk Cafes
Unit 42	Clean technologies
Unit 43	Animal boarding and training

(C) *Density.* None.

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

(E) *Setback regulations.*

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

(F) *Building height regulations.*

Building Height Maximum	75 ft.*
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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)

161.27 District I-1, Heavy Commercial And Light Industrial

(A) *Purpose.* The Heavy Commercial District is designed primarily to accommodate certain commercial and light industrial uses which are compatible with one another but are inappropriate in other commercial or industrial districts. The Light Industrial District is designed to group together a wide range of industrial uses, which do not produce objectionable environmental influences in their operation and appearance. The regulations of this district are intended to provide a degree of compatibility between uses permitted in this district and those in nearby residential districts.

(F) *Height regulations.* There shall be no maximum height limits in I-1 District, provided, however, that any building which exceeds the height of 25 feet shall be set back from any boundary line of any residential district a distance of one foot for each foot of height in excess of 25 feet.

(G) *Building area.* None.

(Code 1965, App. A., Art. 5(VIII); Ord. No. 2351, 6-2-77; Ord. No. 2430, 3-21-78; Ord. No. 2516, 4-3-79; Ord. No. 1747, 6-29-70; Code 1991, §160.039; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; 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; Ord. 5353, 9-7-10; Ord. 5472; 12-20-11)

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government Facilities
Unit 6	Agriculture
Unit 13	Eating places
Unit 17	Transportation trades and services
Unit 18	Gasoline service stations and drive-in/drive through restaurants
Unit 21	Warehousing and wholesale
Unit 22	Manufacturing
Unit 25	Offices, studios and related services
Unit 27	Wholesale bulk petroleum storage facilities with underground storage tanks
Unit 42	Clean technologies

(2) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
Unit 19	Commercial recreation, small sites
Unit 20	Commercial recreation, large sites
Unit 28	Center for collecting recyclable materials
Unit 36	Wireless communications facilities
Unit 38	Mini-storage units
Unit 43	Animal boarding and training

(C) *Density.* None.

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

(E) *Setback regulations.*

Front, when adjoining A or R districts	50 ft.
Front, when adjoining C, I, or P districts	25 ft.
Side, when adjoining A or R districts	50 ft.
Side, when adjoining C, I, or P districts	10 ft.
Rear	25 ft.

The Law Firm of
Stephen R. Giles
A Professional Association

Telephone
(501) 687-0836

425 West Capitol Avenue
Suite 3200
Little Rock, Arkansas 72201-3469
E-mail: sgiles@gileslaw.net

Facsimile
(501) 374-5092

September 2, 2014

Via E-Mail and Hand Delivery
jpate@fayetteville-ar.gov

Mr. Jeremy Pate
Director of Development Services
City of Fayetteville
113 West Mountain Street
Fayetteville, AR 72701

Re: Rezoning Request on Martin Luther King Boulevard

Dear Mr. Pate:

I have been designated by the owners of land in Fayetteville, Messrs. Thad and Burt Hanna, to present this petition for rezoning of his approximately 5.91 acres of land. The request is to rezone the property from C-2 and I-1 to C-2 Thoroughfare Commercial. This property is located on the north side of Martin Luther King, Jr. Boulevard ("MLK") between Hill Avenue and Government Avenue. This property is under contract by Mr. Hanna with Walmart for a proposed retail grocery store and fueling station at this location. The site currently contains industrial buildings and activity.

Requesting a change from industrial to commercial is necessary to accommodate the permitted zoning designation for a grocery store and fueling station under the Fayetteville UDC Code. A grocery store at this location will conveniently serve the large number of area residents, many of whom live in University of Arkansas student housing and rental homes, in addition to the homeowners of the area. A number of retail commercial businesses currently operate along this MLK corridor which is adequately served by the connecting street system.

The proposed grocery store will not adversely affect the surrounding properties. Traffic to and from the property will be primarily directed to the MLK arterial street, and shoppers from the area residential neighborhoods will have convenient and safe access to the store. Building and signage design and appearance will be attractive. Water and sewer currently is available to the site.

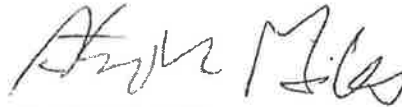
The proposed rezoning and development does not conflict with the City's Comprehensive 2013 Plan. We believe that this well-designed development will promote the 2013 Plan's objectives to (a) make appropriate infill and revitalization of this mostly industrial corridor, (b)

Mr. Jeremy Pate
Director of Development Services
September 2, 2014
Page 2

does not constitute suburban sprawl, (c) promotes a livable transportation network, (d) will incorporate the preservation, to the extent possible, of the existing trees on the west side and will add new landscape and green space to the overall site, (e) population density and public services will not be adversely affected and the project will serve and promote the nearby schools, neighborhoods and businesses.

We look forward to working with City Staff, the Planning Commission and City Council in presenting this new development to the City of Fayetteville. If you have any questions or need additional information, please do not hesitate to contact me or Mr. Tom Burry, the project engineer with CEI Engineers in Bentonville.

Kindest regards,

A handwritten signature in black ink, appearing to read "Stephen R. Giles". The signature is fluid and cursive, with the first name "Stephen" and last name "Giles" clearly distinguishable.

Stephen R. Giles

Enclosure

The Law Firm of
Stephen R. Giles
A Professional Association

Telephone
(501) 687-0836

425 West Capitol Avenue
Suite 3200
Little Rock, Arkansas 72201-3469

Facsimile
(501) 374-5092

E-mail: sgiles@gileslaw.net

September 17, 2014

Via E-Mail

jpate@fayetteville-ar.gov

Mr. Jeremy Pate
Director of Development Services
City of Fayetteville
113 West Mountain Street
Fayetteville, AR 72701

Re: Rezoning Request on Martin Luther King Boulevard

Dear Mr. Pate:

This letter is intended to supplement the original information submitted with the Hanna's rezoning request of September 2, 2014. Since the filing of the original rezoning, the Walmart development team has studied the Urban Transportation's ("UT") district regulations and have come up with a project design that, provided the rezoning request is approved, we believe will compliment and incorporate significant UT criteria. The proposed project fits within the City's stated goals and objectives in the 2030 Plan. Significantly, the proposed project meets the Number One goal of the 2030 Plan - to make appropriate infill and revitalization the city's highest priority. In support of this contention, we highlight the following points of the project that fit within other 2030 Plan goals.

- A. The proposed Walmart Neighborhood Market will fill a need near downtown Fayetteville for access to fresh food at low prices, and will do so while improving the land use of the property on MLK. This type of infill development will make central Fayetteville more livable. The market will incorporate offerings and design elements that align with the City's desire to create a more livable urban area and help revitalize a major thoroughfare. The result will be a quality infill development, as described by the first goal of the 2030 plan "We will make appropriate infill and revitalization our highest priorities."
- B. The 2030 City Plan recognizes that slope is a critical factor in suitable development, with sixteen percent (16%) of the City planning area having a grade of fifteen percent (15%) or greater, which is a factor why some areas are undeveloped. The topography of the land for the proposed Market has a gradient of nearly twenty percent (20%) in some areas, making it very costly and difficult for most developers to work with.

Mr. Jeremy Pate
Director of Development Services
September 17, 2014
Page 2

- C. Transit is a key portion of the 2030 Plan, and improved transit requires jobs along transit corridors. A new Walmart Neighborhood Market will create up to ninety (90) new jobs along the current transit stop at Government Avenue. Creating an environment that allows for associates and customers to use transit to access the Walmart Neighborhood Market aligns with Fayetteville's goal of reducing a carbon footprint and allowing the community to be more active.
- D. Having a Market that provides fresh food and good products close to the residential area creates a sense of Neighborhood more than just a single-family subdivision without a nearby grocery store. This has the added benefit of reducing the distance of vehicle trips for residents of the area who may otherwise be driving across town to shop, further reducing the city's carbon footprint and meeting goals four and five of the 2030 plan.

We look forward to working with City Staff, the Planning Commission and City Council in presenting this new development to the City of Fayetteville. If you have any questions or need additional information, please do not hesitate to contact me or Mr. Tom Burry, the project engineer with CEI Engineers in Bentonville.

Kindest regards,


Stephen R. Giles

cc: Don Marr, Chief of Staff



The City of Fayetteville Fire Department

303 W. Center St. Fayetteville, AR. 72701

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

To: CEI Engineering, and Jesse Fulcher
From: Captain Will Beeks, Assistant Fire Marshal
Date: October 7, 2014
Re: Hanna's Landing

This development will be protected by Engine 1 located at 303 W. Center St.
It is 1 mile from the station with an anticipated response time of 2 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.

Captain Will Beeks
Fayetteville Fire Department

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

From: Jared Delaney <jreddelaney@collectivebias.com>
Sent: Wednesday, September 10, 2014 4:37 PM
To: Marsh, Sarah
Subject: Jared Delaney, per new proposed Walmart on MLK

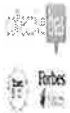
Sarah, my neighbor Dave said he spoke with Mark Kinion earlier concerning this matter and he referred us to someone in Ward 1. I, along with all my neighbors, are not pleased with this rumor announcement. I am at 309 South Gregg Ave, and you can see how this potential new Walmart will affect the traffic on our road. I have lived on this road for 10 years, and care a lot for the neighborhood. Our road is already used as a crossroad for people getting to Dickson, and I can't imagine the troubles this will cause us. The road is too narrow for the amount of traffic it gets anyway.

Please let me know what I can do or what I have to voice my concerns about this. The neighborhood is ready to rally, and we have a lot of people on our road that work in media ready to help out, including myself. Thank you for your time, and please feel free to call me if needed (number below).

Jared Delaney.
Proud Lifetime Fayetteville Resident

--

Jared Delaney | Account Executive
(479) 236-4006 | [@JaredSDelaney](https://www.instagram.com/jaredsdelaney)



From: mollymcarman@yahoo.com [mailto:mollymcarman@yahoo.com]

Sent: Thursday, September 18, 2014 12:23 PM

To: CityClerk

Subject: Regarding the proposed Neighborhood Market

Would you please forward my comments regarding the proposed Neighborhood Market on MLK to the planning commission?

Thank you,
Molly Carman

Dear Planning Commission,

My husband and I own our home at 440 S Locust Avenue, just a few blocks away from the proposed Neighborhood Market. One of the biggest factors in our decision to live here was the walkability of the neighborhood, and in the past few years, we have seen that walkability improve. The Mill District is beginning to feel like a real neighborhood, with new restaurants, improved pedestrian access to Walker Park, a tunnel and crosswalk for the bike trail, and lots of new modern-urban housing. We love how this area is cultivating a more urban, "downtown" feel, and we hope that things continue in this direction.

While I would welcome a grocery store in the neighborhood, I fear that a Neighborhood Market will disrupt the progress that this area has made. These stores typically have massive parking lots and a generic brown and green building. Fayetteville ought to hold Walmart to a higher building standard in this up-and-coming area of town.

I have seen designs for urban Neighborhood Markets that are built right on the street, with a parking deck behind. The design is more modern, and uses materials that match the new construction in the Mill District. This kind of design is more expensive, but it is also more pedestrian-friendly, more attractive, and more in keeping with the direction that Fayetteville is taking.

Please, let's do everything we can to keep Fayetteville distinctive, charming, and walkable. This new store, if well-designed, could be part of a unique and modern Mill District!

Sincerely,

Molly M. Carman

Fulcher, Jesse

From: CityClerk
Sent: Thursday, September 25, 2014 1:50 PM
To: Harrison, Andy
Cc: Garner, Andrew; Pate, Jeremy
Subject: FW: proposed Walmart store on Hill and MLK

Andy,

Will you please forward to the Planning Commissioners.

Thanks,
Lisa

Office of the City Clerk Treasurer

113 W. Mountain Street, Suite 308

Fayetteville, AR 72701

479.575.8323

cityclerk@fayetteville-ar.gov

[Website](#) | [Facebook](#) | [Twitter](#) | [YouTube](#)



From: Amelia Cox [<mailto:ameliablaircox@gmail.com>]

Sent: Thursday, September 25, 2014 9:20 AM

To: CityClerk

Subject: proposed Walmart store on Hill and MLK

Dear Ms. Smith,

I am writing to urge the city to not allow another WalMart store to be developed on MLK. The proposed location is near downtown, and would cause traffic congestion. I am sure that a Walmart location this near to already existing IGA supermarkets would drive both locations out of business, leaving scars on our existing cityscape. We have enough empty and deserted big box scars to be dealt with in Fayetteville. Please consider the future of Fayetteville and help to secure our cities' beauty by not allowing this type of development to overrun MLK. I fear we are doing to MLK what we did to College Avenue and are now concerned with cleaning up that thoroughfare. Please have the foresight to not allow the development to occur in our neighborhood.

Thank you,

Amelia Cox
533 S. Church

Fulcher, Jesse

From: Garner, Andrew
Sent: Thursday, September 25, 2014 9:01 AM
To: Harrison, Andy
Subject: RE: Proposed Walmart on MLK

Andy,

Please save this email to a PDF in the public comments folder under the RZN, and also email it to all of the Planning Commissioners when you get a chance.

Thanks,
Andrew

From: CityClerk
Sent: Wednesday, September 24, 2014 6:28 PM
To: Harrison, Andy
Cc: Garner, Andrew
Subject: FW: Proposed Walmart on MLK

Andy,

Please forward to the Planning Commissioners.

Thanks,
Lisa

From: Adams Collins [<mailto:breamguts@gmail.com>]
Sent: Wednesday, September 24, 2014 5:41 PM
To: CityClerk
Subject: Proposed walmart on MLK

Hello Sandra Smith. Please forward this email to the planning commissioners in charge of the zoning of the lots on MLK where the new Walmart is proposed. Thank you.

My name is Adams Collins. I am a home owner at 514 S Willow and a native Fayettevillan. I was upset to recently find out of the new Walmart proposed for the Location near 641 MLK Boulevard (I do not know the exact location, but understand that it is near here on the opposite side of the street). I bought my home last October and am proud to live in a part of Fayetteville that is growing and developing into a progressive neighborly community of local businesses and eco-friendly homes. Walmart's big box design doesn't fit the vernacular of South Fayetteville. There is already a big box Walmart just 2 miles away. Please support rezoning the lots under discussion to have code that prevents big box development.

Please contact me if there is anything I can do to help prevent Walmart from taking over this space.

Thank you for your work in creating the community that Fayetteville has become.

Adams Collins
479 409 2481
Sent from my iPad



City Neighborhood Areas:

City Neighborhood Areas are more densely developed than residential neighborhood areas and provide a varying mix of nonresidential and residential uses. This designation supports the widest spectrum of uses and encourages density in all housing types, from single family to multifamily. Non residential uses range in size, variety and intensity from grocery stores and offices to churches, and are typically located at corners and along connecting corridors. The street network should have a high number of intersections creating a system of small blocks with a high level of connectivity between neighborhoods. Setbacks and landscaping are urban in form with street trees typically being located within the sidewalk zone.

City Neighborhood Areas encourage complete, compact and connected neighborhoods and are intended to serve the residents of Fayetteville, rather than a regional population. While they encourage dense development patterns, they do recognize existing conventional strip commercial developments and their potential for future redevelopment in a more efficient urban layout.

Guiding Policies:

- a. Protect adjoining properties from the potential adverse impacts associated with non-residential uses adjacent to and within residential areas with proper mitigation measures that address scale, massing, traffic, noise, appearance, lighting, drainage, and effects on property values.
- b. Provide non-residential uses that are accessible for the convenience of individuals living in residential districts and where compatibility with existing desirable development patterns occurs.
- c. Reduce the length and number of vehicle trips generated by residential development by enhancing the accessibility to these areas; encourage walkability as part of the street function.



Three Sisters Building



Chestnut Lofts



- Neighborhood shopping should be within walking distance of residential use, or approximately one-quarter mile.
- d. Encourage developers to designate and plan for mixed-use corners at the time of approval to properly plan for accessibility to these areas.
 - e. Encourage pedestrian-friendly, mixed-use buildings through the use of transparent glass for commercial uses at street level and building entrances that address the street.
 - f. Encourage a block-and-street layout that promotes walkable, cyclist-friendly road designs with slow design speeds.
 - g. Encourage mixed-use development that is sensitive to surrounding residential uses and allows for day and night utilization of available parking.
 - h. Utilize principles of traditional residential urban design to create compatible, livable and accessible neighborhoods.
 - i. Encourage properties to redevelop in an urban form.
 - j. Protect and restore Fayetteville's outstanding residential architecture of all periods and styles.
 - k. Utilize the Master Street Plan and incorporate bike lanes, parkways and landscaped medians to preserve the character of the City and enhance the utilization of alternative modes of transportation.
 - l. Manage non-residential development within and adjoining residential neighborhoods to minimize nuisances.
 - m. Minimize through traffic on minor residential streets, while providing connections between neighborhoods to encourage openness and neighborliness.



Summerhill Townhouses



Hill Place Apartments



Girl Scouts Building



Sycamore Lofts

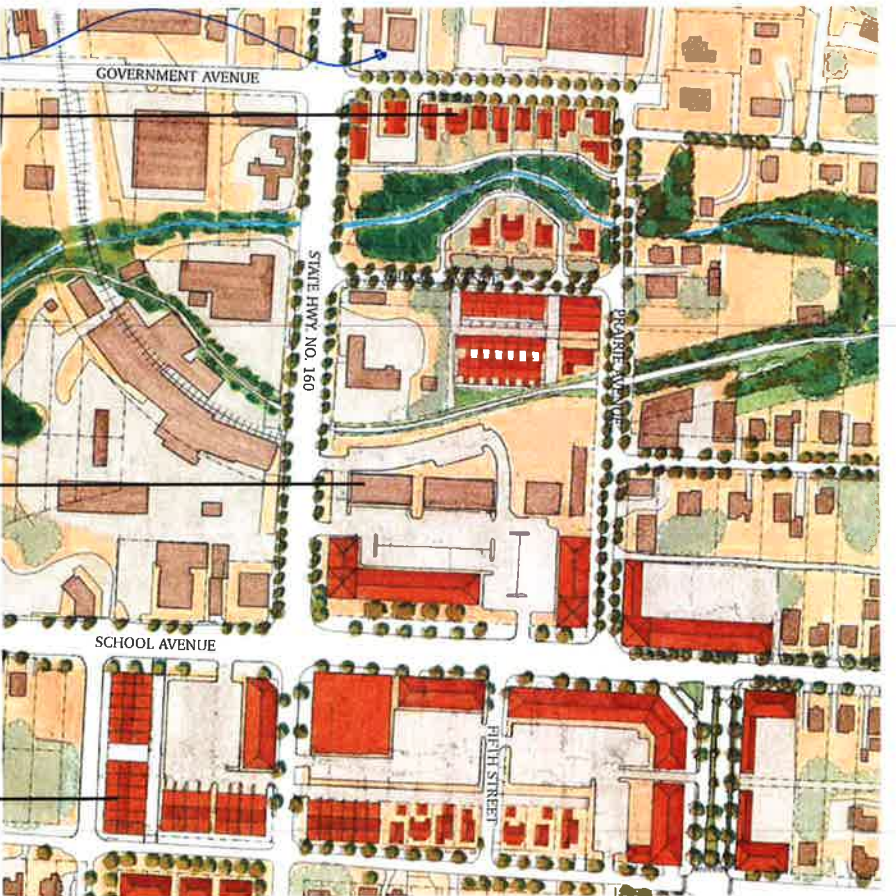


Reinvestment in the Mill District

The Mill District is different in character and appearance from the other parts of Downtown, due to its industrial building history. All reinvestment for this area should enhance that character, much like the mixed-use building recently renovated on 6th Street (SR 160). The industrial look is formed by buildings with concrete and metal facades, metal roof overhangs and architectural projections, and large metal framed windows and doors. The future installation of public art should also be reflective of this industrial appearance. Existing industrial businesses should be encouraged to remain in the neighborhood. These businesses provide different types of jobs than those in the core area of the downtown for nearby residents. As the demand for land uses changes, existing structures should be retrofitted for those new uses, wherever possible.

The southwestern entry into Downtown on School Avenue passes through the Mill District. A revitalized district will create a gateway experience to the Downtown.

The Downtown Master Plan shows infill development with new buildings located closer to the street. As described throughout this plan, parking should be located mid-block and shielded from view from the street. Buildings are intended to house a mix of uses that should include neighborhood-serving retail, residential, and light industrial uses. These characteristics are in stark contrast with the single-use, drive-to format of the new drugstore recently constructed on School Avenue.

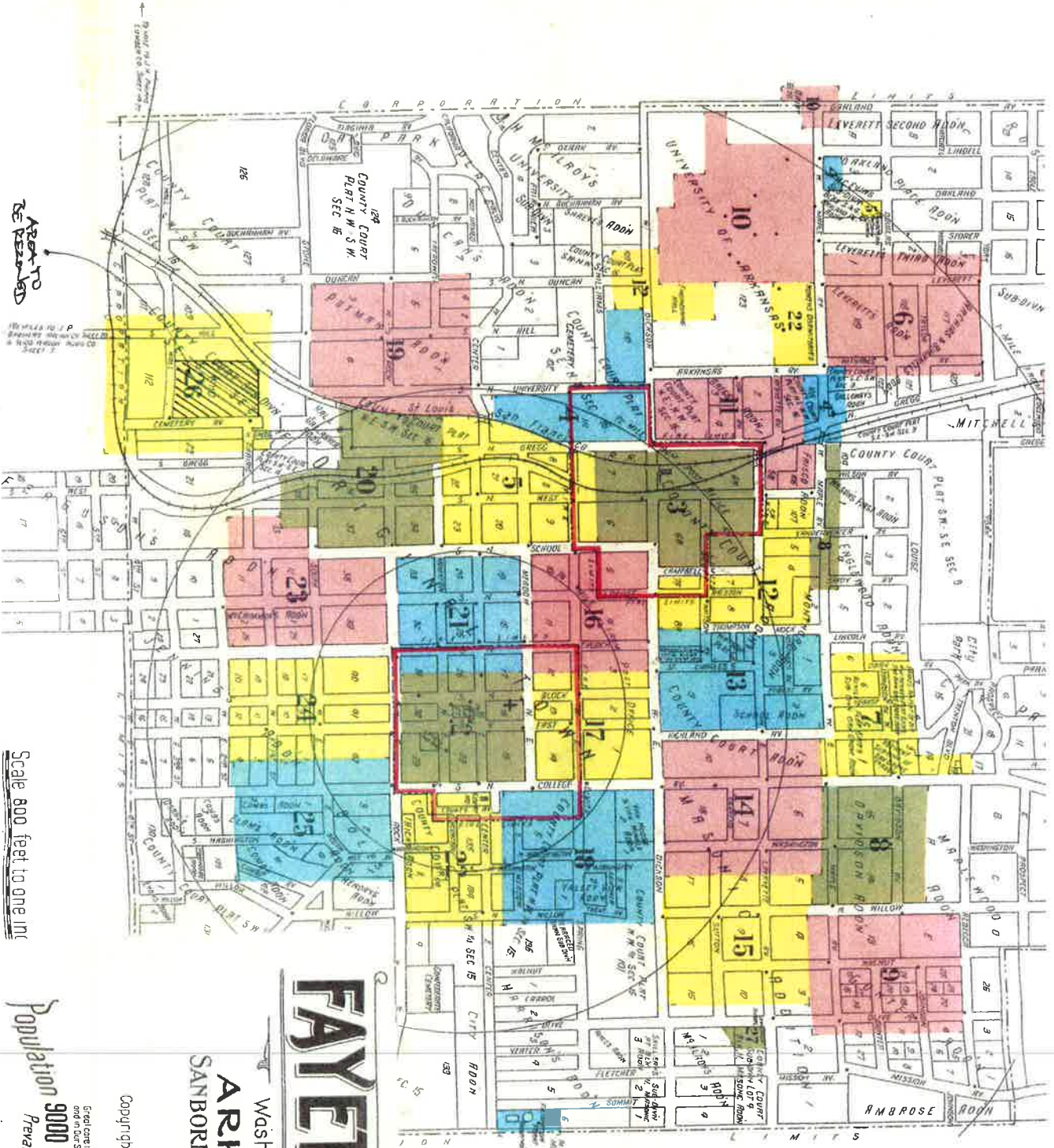


SUBJECT PROPERTY

Added housing in the Mill District

Recently redeveloped mill

Rowhouses



As per
re-
re-
re-

Scale 800 feet to one in.

FAYETTEVILLE

Washington County
ARKANSAS
 SANBORN MAP CO. NEW YORK
 JAN. 1930

Copyright 1930 by the Sanborn Map Co

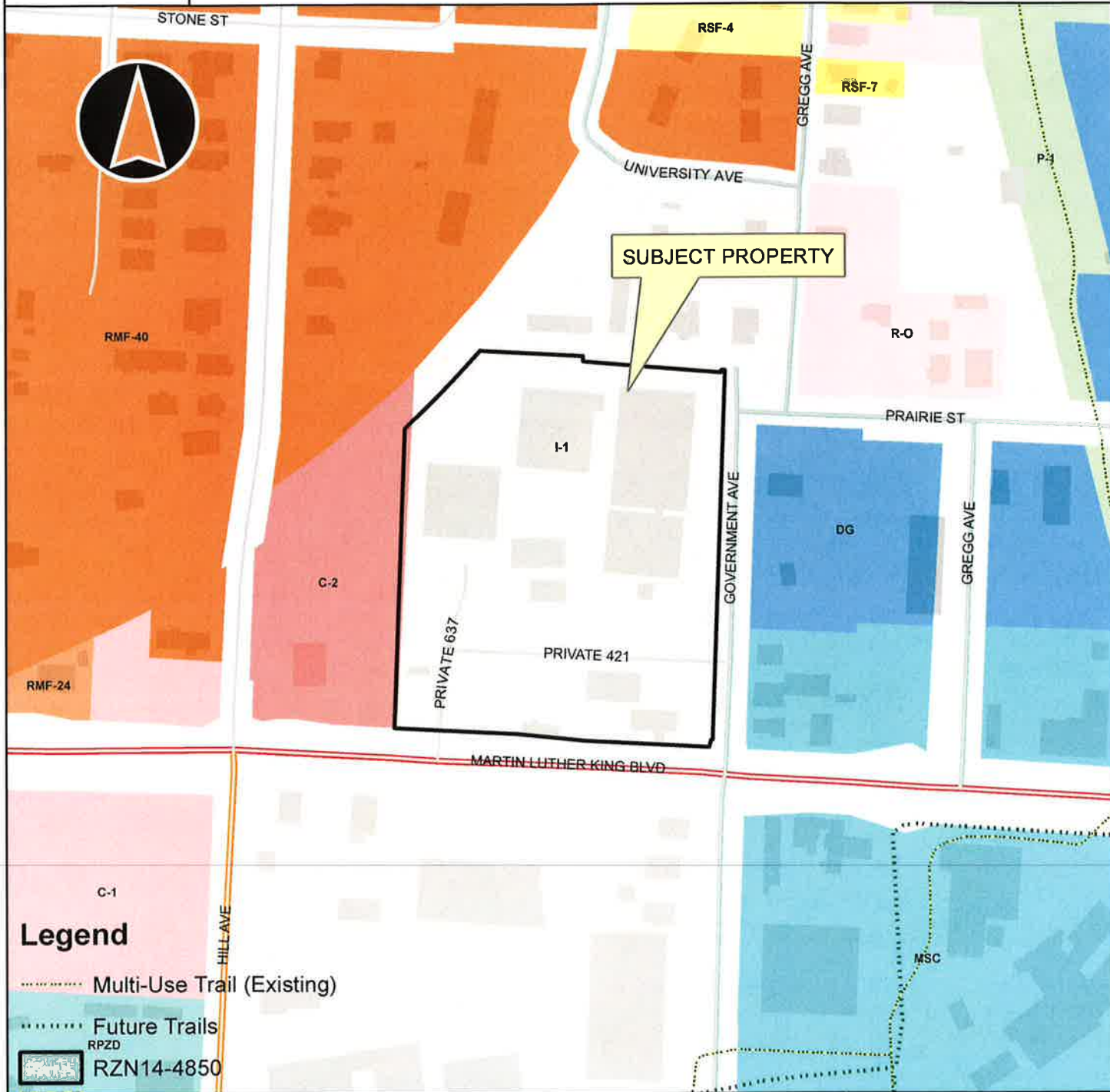
Population **9000**
Prevailing Winds, S.W.
 of WINDS Third Streets

Great care is exercised in the production of Sanborn maps and in the service of our customers. We are always ready to answer your questions.

RZN14-4850

HANNA'S LANDING

Close Up View



Legend

- Multi-Use Trail (Existing)
- Future Trails
- RPZD
- RZN14-4850

Overview

- Fayetteville City Limits
- Footprints 2010
- Hillside-Hilltop Overlay District
- Design Overlay District
- Design Overlay District
- Planning Area



RZN14-4850

HANNA'S LANDING

Current Land Use



Legend

- Multi-Use Trail (Existing)
- Future Trails
- RZN14-4850

Overview Fayetteville City Limits

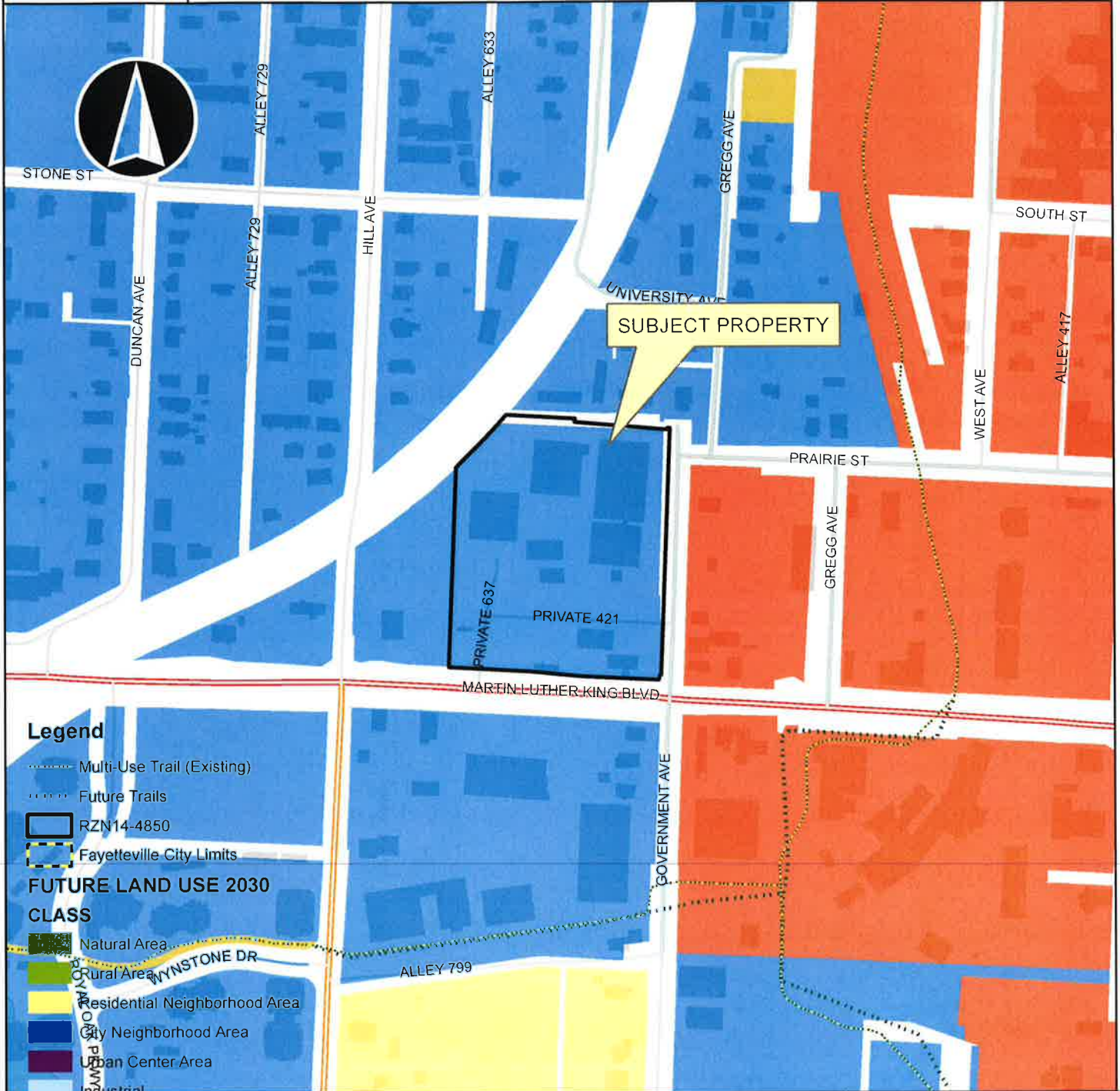
- Footprints 2010
- Hillside-Hilltop Overlay District
- Design Overlay District
- Design Overlay District
- Planning Area



RZN14-4850

HANNA'S LANDING

Future Land Use



Legend

- Multi-Use Trail (Existing)
- Future Trails
- RZN14-4850
- Fayetteville City Limits

FUTURE LAND USE 2030

CLASS

- Natural Area
- Rural Area
- Residential Neighborhood Area
- City Neighborhood Area
- Complete Neighborhood Plan
- Civic Institutional
- Non-Municipal Government
- Industrial

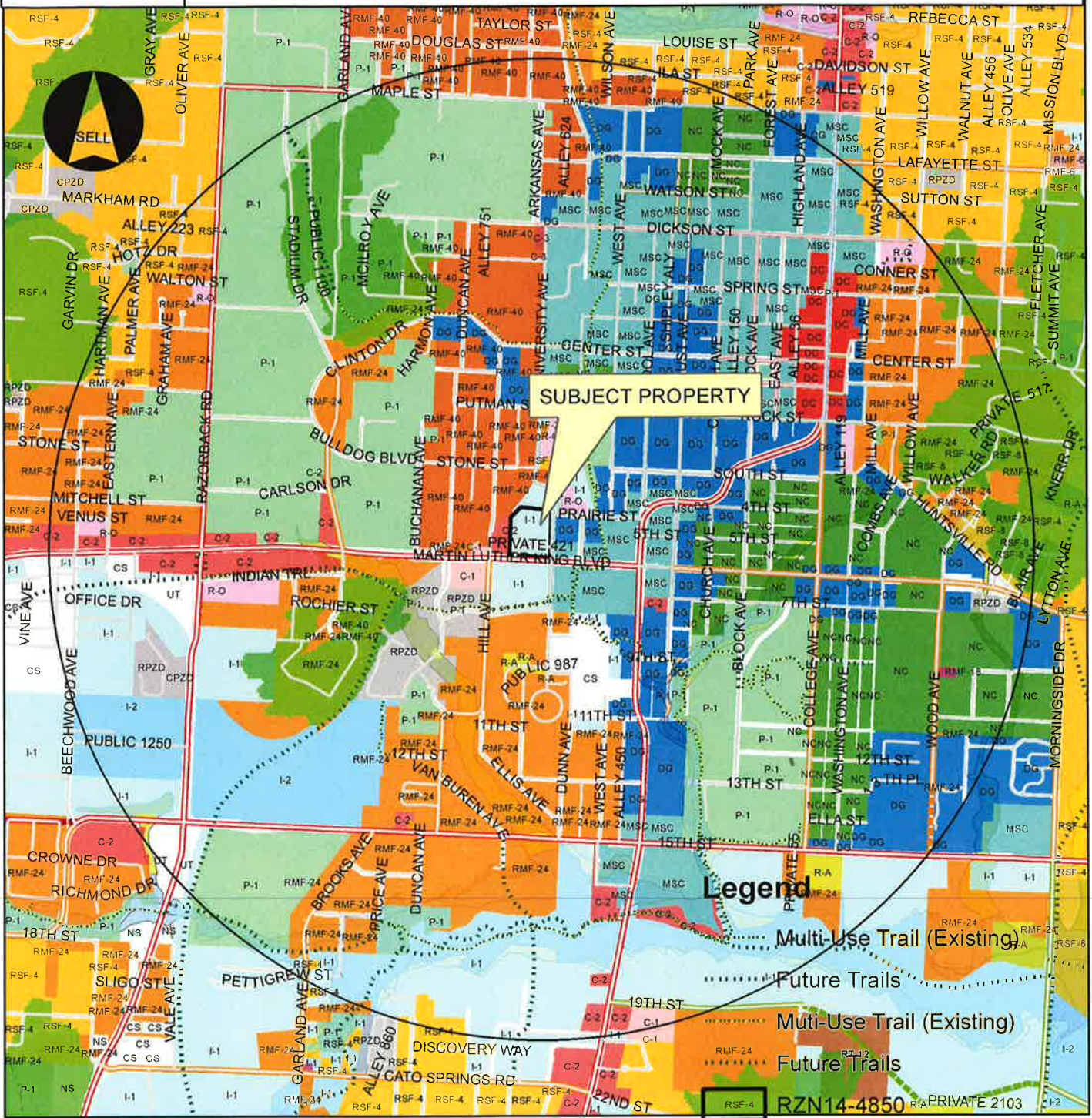
- Complete Neighborhood Plan
- Civic and Private Open Space/Parks
- Civic Institutional
- Non-Municipal Government
- ROW
- Design Overlay District
- Design Overlay District
- Planning Area



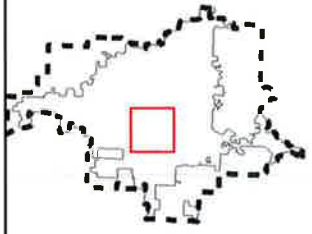
RZN14-4850

HANNA'S LANDING

One Mile View



Overview



Legend

Subject Property

Boundary

- Hillside-Hilltop Overlay District
- Design Overlay District
- Planning Area
- Fayetteville



McCoy, Dee

From: Smith, Sondra
Sent: Wednesday, November 05, 2014 4:06 PM
To: Pate, Jeremy; Garner, Andrew; Gray, Adella; Alan Long; McCoy, Dee; Marr, Don; Eads, Gail; Roberts, Gina; Tennant, Justin; Johnson, Kimberly; Williams, Kit; Broyles, Lana; Smith, Lindsley; Jordan, Lioneld; Branson, Lisa; Kinion, Mark; Schoppmeyer, Martin; Matthew Petty (citycouncil@matthewpetty.org); Mulford, Patti; Pennington, Blake; Adams, Rhonda; Marsh, Sarah; Smith, Sondra
Cc: sgiles@gileslaw.net
Subject: FW: Council Agenda Item #C. 2 2014-0447 Hanna's Landing Rezone
Importance: High

Please read the email below regarding tabling to December 2, 2014 the following item that is on the November 6 City Council agenda:

C.2 - 2014-0447

AN ORDINANCE REZONING THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 14-4850, FOR APPROXIMATELY 4.96 ACRES, LOCATED ALONG THE NORTH SIDE OF MARTIN LUTHER KING BOULEVARD BETWEEN GOVERNMENT AND HILL AVENUES, FROM I-1, HEAVY COMMERCIAL/LIGHT INDUSTRIAL, TO C-2, THOROUGHFARE COMMERCIAL

Have a wonderful day!
Sondra

Office of the City Clerk Treasurer
Sondra E. Smith CAMC, CMC
City Clerk Treasurer
113 W. Mountain Street, Suite 308
Fayetteville, AR 72701
479.575.8323
ssmith@fayetteville-ar.gov
[Website](#) | [Facebook](#) | [Twitter](#) | [YouTube](#)

CITY OF

www.fayetteville-ar.gov

From: Stephen Giles [mailto:sgiles@gileslaw.net]
Sent: Wednesday, November 05, 2014 2:49 PM
To: Smith, Sondra; Pate, Jeremy; Marr, Don
Cc: Thad Hanna (Thad.Hanna@hannascandles.com); Michael.Lindsey@walmart.com; Bryant Adams
Subject: Council Agenda Item #C. 2 2014-0447 Hanna's Landing Rezone
Importance: High

Sondra –

The applicant requests that the City Council table the above agenda item from tomorrow's meeting and move the hearing to the Tuesday, December 2, 2014 agenda. Please notify the City Council of this request and let me know if you need any additional information. Thanks you,

Stephen Giles

Stephen R. Giles, P.A.
Attorney at Law
425 West Capitol Ave.
Suite 3200
Little Rock, Arkansas 72201-3469
Telephone (501) 687-0836
Facsimile (501) 374-5092
E-Mail sgiles@gileslaw.net
Website www.gileslawoffice.net

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