

City of Fayetteville Staff Review Form

2014-0522

Legistar File ID

12/2/2014

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

Jeremy Pate 

11/14/2014

City Planning /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

RZN 14-4867: Rezone (2269 N. HENBEST DR./ADVENTURE SUBARU, 325): Submitted by JORGENSEN AND ASSOCIATES for property located at 2269 N. HENBEST DRIVE. The property is zoned CS, COMMUNITY SERVICES and contains approximately 4.17 acres. The request is to rezone the property to C-2, THOROUGHFARE COMMERCIAL.

Budget Impact:

Account Number	Fund
Project Number	Project Title
Budgeted Item? <u>NA</u>	Current Budget \$ -
	Funds Obligated \$ -
	Current Balance \$ -
Does item have a cost? <u>No</u>	Item Cost
Budget Adjustment Attached? <u>NA</u>	Budget Adjustment
	Remaining Budget \$ -

V20140710

Previous Ordinance or Resolution # _____

Original Contract Number: _____

Approval Date: _____

Comments:



CITY COUNCIL AGENDA MEMO

MEETING OF DECEMBER 2, 2014

TO: Fayetteville City Council

THRU: Jeremy Pate, Development Services Director

FROM: Andrew Garner, Planning Director

DATE: November 14, 2014

SUBJECT: **RZN 14-4867: Rezone (2269 N. HENBEST DR./ADVENTURE SUBARU, 325):** Submitted by JORGENSEN AND ASSOCIATES for property located at 2269 N. HENBEST RD. The property is zoned CS, COMMUNITY SERVICES and contains approximately 4.17 acres. The request is to rezone the property to C-2, THOROUGHFARE COMMERCIAL.

RECOMMENDATION:

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

BACKGROUND:

The subject property is zoned CS, Community Services and contains 4.17 acres bounded by Mount Comfort Road, Shiloh Drive, and Henbest Road. The property is adjacent to the west of the Adventure Subaru car dealership that was developed in 2012 which contains 4.5 acres zoned C-2, Thoroughfare Commercial.

The subject property was rezoned as requested by the applicant to CS, Community Services in June 2013 (RZN 13-4363). At the time of the rezoning the applicant indicated that the subject property was suitable for services to the surrounding neighborhood. In September 2013 the Planning Commission approved a conditional use for eight years that allows approximately one-third of the CS-zoned property to be used as an unpaved parking and display lot.

SURROUNDING LAND USE COMPATIBILITY:

This property is unique due to the close proximity of an interstate highway adjacent to the east (I-49) and established residential neighborhoods to the west. There are eight single family homes on the south side of Mount Comfort/Porter Road across and to the southeast of the property that were constructed in the late 1950's to late 1960's¹. One of the homes is currently being used for a realty office/salon. There is a largely underdeveloped parcel of land zoned R-A, and C-1 adjacent to the west of the site. Approximately 500 feet to the west of the subject property is the Trailwood mobile home park that contains approximately 72 mobile homes on 23 acres. This residential neighborhood appears to have been in existence since the late 1960's/early 1970's and includes amenities such as an on-site recreation building for community events and a community garden. Continuing west along Mount Comfort there are a number of established

¹ The addresses of these older structures is as follows: 2507, 2445, 2431, 2421, 2419, 2407 W. Mount Comfort Road; 2167 N. Porter Road (salon realty office), and 2156 N. Shiloh Drive.

single family neighborhoods on the north side and larger residential estates and several churches on the south side of the corridor. Adjacent to the north is undeveloped pasture that is zoned C-2 and RMF-24. Other uses to the north include a tractor supply store. The property is most certainly in a transition area, between I-49 and clearly highway/interstate commercial properties and still existing neighborhoods. The proposed rezoning to C-2 would not be compatible with the existing established local neighborhoods and services to the west and south, while it would be compatible with existing uses to the east and north. The C-2 zoning introduces the potential for regional commercial uses that are not appropriate given the existing neighborhoods in the area that could be significantly impacted by the form and traffic patterns associated with regional highway commercial use being extended further to the west.

Ultimately the policy question with this rezoning request that the council must decide is "How far from the interstate should highway commercial uses extend?". When the Wedington Corridor Master Plan was conducted, it was determined at the time that residents thought the access issues, traffic congestion, turning movements and form of the commercial development that grew west from I-49 had gone too far and was detrimental to the area. Staff's intent, in following the policy guidance of the City Council, is to not re-create the scenario that Wedington is today. The property combined with the Adventure Subaru site (also owned by the applicant) is over 700 feet wide from Henbest Drive to Shiloh Drive. In staff's opinion, this overall property is large enough to provide an appropriate transition from the regional transportation corridor along the east to local community services and goods on the west.

LAND USE PLAN ANALYSIS:

The site is designated as a City Neighborhood Area in the City Plan 2030 Future Land Use Plan. This designation recognizes existing conventional strip commercial developments, but encourages more complete, compact and connected development patterns. This designation intends for non-residential services in these areas to serve the residents of Fayetteville, rather than the regional population. The proposed C-2 zoning is a conventional strip commercial zoning that allows high intensity commercial uses that can serve the region, rather than lower intensity uses for local neighborhoods.

C-2 zoning is appropriate in some City Neighborhood Areas. However, given the established local land uses in the vicinity and lack of surrounding regional commercial uses, the proposal could fragment the character of this area and establish this neighborhood (Mount Comfort/Porter Road) as a regional commercial area in an auto-oriented development pattern, similar to Wedington/Highway 16, Martin Luther King Boulevard/Highway 62 and Garland/Highway 112.

The future land use plan has established several areas for regional goods and services at five distinct areas along I-49 and Fulbright Expressway. Starting at the south end of the City these regional nodes are as follows:

1. Around the future regional park site/Cato Springs Road;
2. Adjacent to all four corners at the intersection of Martin Luther King Boulevard/I-49;
3. The southeast corner of Wedington/I-49;
4. Around the Fayetteville Autopark/Sam's Club; and
5. Northwest Arkansas Mall/CMN Business Park vicinity.

The Mount Comfort Road/Porter Road interchange is not identified as a regional retail/commercial area.

Staff finds the C-2 zoning district to be inconsistent with the City Neighborhood Area designation and the context of the site.

DISCUSSION:

On November 10, 2014 the Planning Commission forwarded this item to the City Council with a recommendation for approval with a vote of 7-1-0 (Commissioner Chesser voted 'no').

BUDGET/STAFF IMPACT:

N/A

Attachments:

CC Ordinance

Exhibit A

Exhibit B

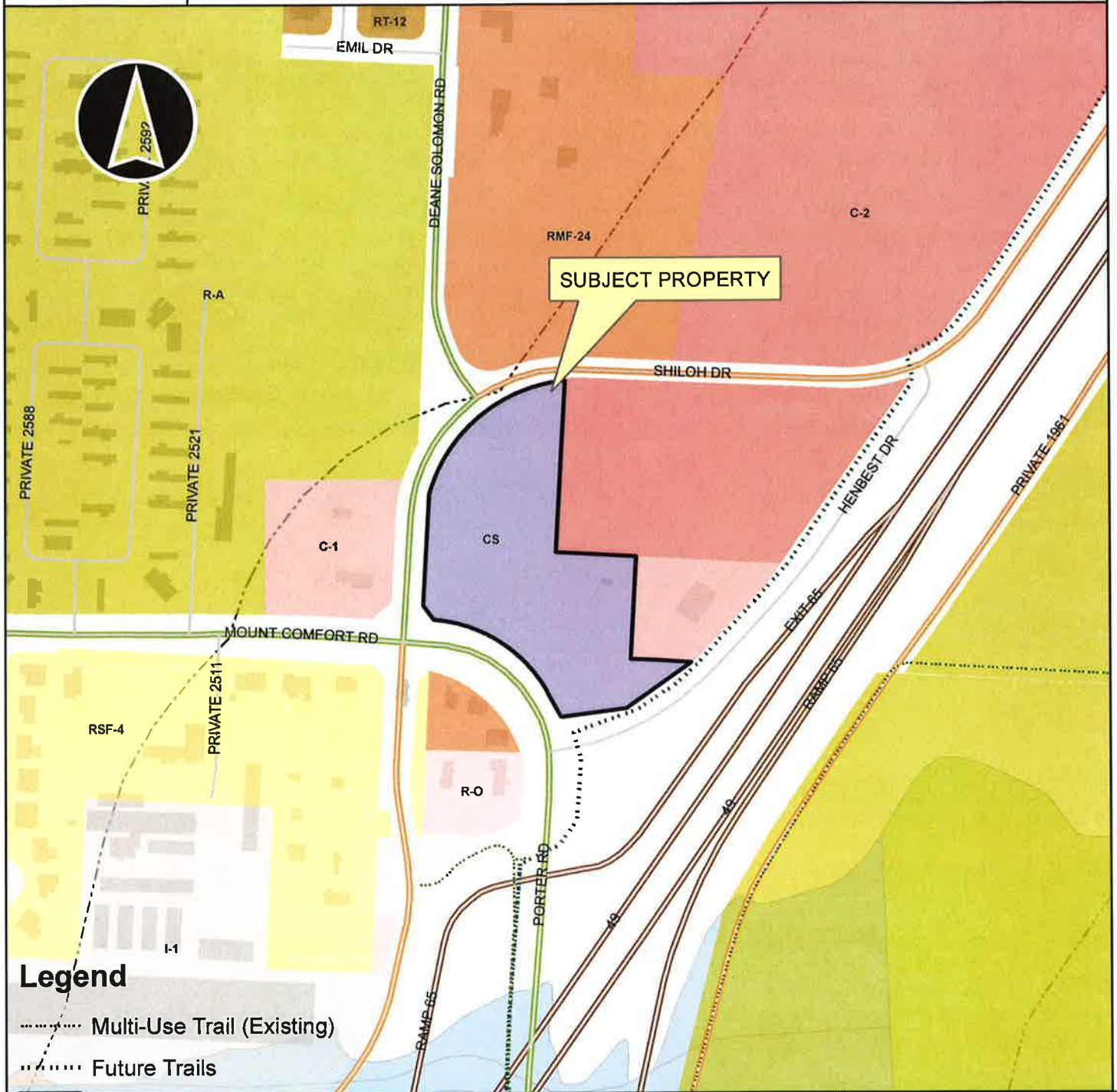
Planning Commission Staff Report

EXHIBIT 'A'
14-4867

RZN14-4867

ADVENTURE SUBARU

Close Up View



Legend

- Multi-Use Trail (Existing)
- Future Trails

- Overview** RZN14-4867
- Fayetteville City Limits
- Footprints 2010
- Hillside-Hilltop Overlay District
- Design Overlay District
- Planning Area



EXHIBIT 'B'
14-4867

LEGAL DESCRIPTION: (FROM CS TO C-2)

A part of the SW1/4 of the NW1/4 and a part of the NW1/4 of the SW1/4 of Section 5 and a part of the SE1/4 of the NE1/4 and a part of the NE1/4 of the SE1/4 of Section 6 all in T16N, R30W in Washington County, Arkansas, and being described as follows: Commencing at the SW Corner of said SW1/4, NW1/4, thence N03°02'35"E 208.59 feet to the POINT OF BEGINNING, thence S86°57'36"E 164.21 feet, thence S03°02'24"W 208.89 feet, thence S86°51'20"E 123.08 feet, thence S54°39'40"W 161.39 feet, thence S82°23'40"W 134.51 feet, thence N29°13'54"W 55.90 feet, thence along a non tangent curve to the left 285.98 feet, said curve having a radius of 290.50 feet and chord bearing and distance of N57°26'02"W 274.57 feet, thence N37°01'50"W 37.15 feet, thence N03°00'32"E 224.85 feet, thence along a non tangent curve to the right 385.46 feet, said curve having a radius of 320.00 feet and chord bearing and distance of N49°49'19"E 362.58 feet, thence S03°02'35"W 349.98 feet to the POINT OF BEGINNING: Containing 4.17 acres more or less subject to easements and right of way of record.



PLANNING COMMISSION MEMO

TO: City of Fayetteville Planning Commission

FROM: Andrew Garner, City Planning Director

MEETING DATE: ~~November 10, 2014~~ UPDATED 11-13-2014

SUBJECT: **RZN 14-4867: Rezone (2269 N. HENBEST DR./ADVENTURE SUBARU, 325):** Submitted by JORGENSEN AND ASSOCIATES for property located at 2269 N. HENBEST RD. The property is zoned CS, COMMUNITY SERVICES and contains approximately 4.17 acres. The request is to rezone the property to C-2, THOROUGHFARE COMMERCIAL.

RECOMMENDATION:
Staff recommends denial of RZN 14-4867.

BACKGROUND:

The subject property is zoned CS, Community Services and contains 4.17 acres bounded by Mount Comfort Road, Shiloh Drive, and Henbest Road. The property is adjacent to the west of the Adventure Subaru car dealership that was developed in 2012 which contains 4.5 acres zoned C-2, Thoroughfare Commercial.

The subject property was rezoned as requested by the applicant to CS, Community Services in June 2013 (RZN 13-4363). At the time of the rezoning the applicant indicated that the subject property was suitable for services to the surrounding neighborhood. In September 2013 the Planning Commission approved a conditional use for eight years that allows approximately one-third of the CS-zoned property to be used as an unpaved parking and display lot. Surrounding land use and zoning is depicted on *Table 1*.

**Table 1
Surrounding Land Use and Zoning**

Direction from Site	Land Use	Zoning
North	Undeveloped	RMF-24, Residential Multi-family; C-2, Thoroughfare Commercial; R-A, Residential Agricultural
South	Residential; office/salon	RSF-4, Residential single-family; RMF-24, Residential Multi-family; R-O, Residential Office
East	Adventure Subaru; office; I-49	C-1, Neighborhood Commercial, C-2, Thoroughfare Commercial
West	Undeveloped; storage yard; residential	R-A, Residential Agricultural; C-1, Neighborhood Commercial; RMF-24, Residential Multi-family; RSF-4, Residential Single-family

Request: The request is to rezone the property from CS, Community Services to C-2, Thoroughfare Commercial. The applicant has indicated they intend on expanding the Adventure Subaru car dealership onto the property.

Public Comment: Staff has not received any public comment.

INFRASTRUCTURE:

Streets: The site has access to Mount Comfort Road (Minor Arterial), Shiloh Drive (Minor Arterial) and Henbest Drive (Local Street). Mount Comfort was recently widened to a four-lanes and Shiloh was re-routed to create a four-way signalized intersection. Street improvements within and adjacent to the property will be evaluated at the time of development.

Water: Public water is available to the property. There are 8" and 12" mains adjacent to the property. Public water main improvements may be necessary to provide fire flow for domestic service for any proposed development.

Sewer: Sanitary sewer is available to the site. There is an 8" main adjacent to the property. Capacity will be evaluated at the time of development.

Drainage: Standard improvements and requirements for drainage will be required for any development. This property is not affected by the 100-year floodplain or the Streamside Protection Zones.

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

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

CITY PLAN 2030 FUTURE LAND USE PLAN:

*City Plan 2030 Future Land Use Plan designates this site as **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.

DISCUSSION:

FINDINGS OF THE STAFF

RECOMMENDATION: Staff recommends denial of **RZN 14-4867** based on the findings discussed herein, that the rezoning is not compatible with the surrounding neighborhood to the west along Mount Comfort Road and is not consistent with the Future Land Use Plan.

PLANNING COMMISSION ACTION:		Required	<u>YES</u>
Date: <u>November 10, 2014</u>	<input type="checkbox"/> Tabled	<input checked="" type="checkbox"/> Forwarded	<input type="checkbox"/> Denied
Motion: <u>WINSTON</u>	Second: <u>BUNCH</u>	Vote: <u>7-1-0, COMM.</u> <u>CHESSER VOTED 'NO'</u>	
CITY COUNCIL ACTION:		Required	<u>YES</u>
Date: <u>DEC 02, 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: *Surrounding Land Use Compatibility:* This property is unique due to the close proximity of an interstate highway adjacent to the east (I-49) and established residential neighborhoods to the west. There are eight single family homes on the south side of Mount Comfort/Porter Road across and to the southeast of the property that were constructed in the late 1950's to late 1960's¹. One of the homes is currently being used for a realty office/salon. There is a largely underdeveloped parcel of land zoned R-A, and C-1 adjacent to the west of the site. Approximately 500 feet to the west of the subject property is the Trailwood mobile home park that contains approximately 72 mobile homes on 23 acres. This residential neighborhood appears to have been in existence since the late 1960's/early 1970's and includes amenities such as an on-site recreation building for community events and a community garden. Continuing west along Mount Comfort there are a number of established single family neighborhoods on the north side and larger residential estates and several churches on the south side of the corridor. Adjacent to the north is undeveloped pasture that is zoned C-2 and RMF-24. Other and uses to the north include a tractor supply store. The proposed rezoning to C-2 would not be compatible with the existing established local neighborhoods and services to the west and south. The C-2 zoning introduces the potential for regional commercial uses that are not appropriate given the existing neighborhoods in the area that could be significantly impacted by the form and traffic patterns associated with regional highway commercial use being extended further to the west.

The property combined with the Adventure Subaru site (also owned by the applicant) is over 700 feet wide from Henbest Drive to Shiloh Drive. This overall property is large enough to provide an appropriate transition from the regional transportation corridor along the east to local community services and goods on the west.

¹ The addresses of these older structures is as follows: 2507, 2445, 2431, 2421, 2419, 2407 W. Mount Comfort Road; 2167 N. Porter Road (salon realty office), and 2156 N. Shiloh Drive.

Land Use Plan Analysis: The site is designated as a City Neighborhood Area in the City Plan 2030 Future Land Use Plan. This designation recognizes existing conventional strip commercial developments, but encourages more complete, compact and connected development patterns. This designation intends for non-residential services in these areas to serve the residents of Fayetteville, rather than the regional population. The proposed C-2 zoning is a conventional strip commercial zoning that allows high intensity commercial uses that can serve the region, rather than lower intensity uses for local neighborhoods.

C-2 zoning is appropriate in some City Neighborhood Areas. However, given the established local land uses in the vicinity and lack of surrounding regional commercial uses, the proposal could fragment the character of this area and establish this neighborhood (Mount Comfort/Porter Road) as a regional commercial area in an auto-oriented development pattern, similar to Wedington/Highway 16, Martin Luther King Boulevard/Highway 62 and Garland/Highway 112.

The future land use plan has established several areas for regional goods and services at five distinct areas along I-49 and Fulbright Expressway. Starting at the south end of the City these regional nodes are as follows:

1. Around the future regional park site/Cato Springs Road;
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4. Around the Fayetteville Autopark/Sam's Club; and
5. Northwest Arkansas Mall/CMN Business Park vicinity.

The Mount Comfort Road/Porter Road interchange is not identified as a regional retail/commercial area.

Staff finds the C-2 zoning district to be inconsistent with the City Neighborhood Area designation and the context of the site.

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

Finding: In staff's opinion, the C-2 zoning district is not justified at this time. This zoning district is not compatible with the existing neighborhoods to the west and does not fulfill many of the policies of the City Neighborhood Area designation. This property was recently rezoned as requested by the applicant in 2013 to CS, Community Services. This form-based zoning district allows a variety of community, rather than regional, residential and commercial uses and provides a traditional development pattern, encouraged by the City Neighborhood designation. At the time of this recent rezoning the applicant discussed that the intent for the rezoning was to provide services to the neighborhoods. Non-residential goods and services are needed to serve the neighborhoods to the west and can be provided in a compatible manner under the existing CS zoning. The C-2 zoning would

introduce the potential for a high intensity commercial development pattern that would dilute the opportunity to establish these local uses.

Adjacent to the north of the site and extending almost two miles to the north through the Fayetteville Autopark is a continuous zoning of either C-2 or C-PZD zoning that allows high-intensity highway commercial uses. A large portion of this area to the north is undeveloped and additional C-2 zoning is not justified given the vacant land.

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

Finding: Rezoning and developing the property under C-2 will likely increase traffic on the surrounding street system over the current CS zoning. The scale and intensity of uses in C-2 is greater than CS resulting in potential for traffic and congestion. However, the surrounding street system is improved including a signalized intersection at Mount Comfort Rd./Shiloh Dr. The Unified Development Code contains a number of access management requirements that can mitigate traffic conflicts, if they are implemented in the site design.

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 CS to C-2 will reduce the potential population density. The CS district allows residential and mixed use by right whereas the C-2 zoning does not allow residential uses, except for cottage housing and residential use that is accessory to a commercial use. 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 161.19 and 161.20
- Fayetteville Fire Department comments
- Request Letter and rezoning exhibit
- I-49 Regional Commercial Nodes
- Vacant commercial land along I-49
- City Plan 2030 – Future Land Use Plan map
- Close Up Map
- Current Land Use Map
- One Mile Map



The City of Fayetteville Fire Department
303 W. Center St. Fayetteville, AR. 72701
Phone (479) 575-8365 Fax (479) 575-0471

To: Jorgensen and Associates, Andrew Garner
From: Will Beeks Assistant Fire Marshal
Date: October 8, 2014
Re: 14-4867

This development will be protected by Engine 7 located at 835 Ruppel Rd.
It is 2 miles from the station with an anticipated response time of 4 minutes to the beginning of the development.

The Fayetteville Fire Department does not feel this development will affect our calls for service or our response times.

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

Captain Will Beeks
Fayetteville Fire Department

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

Fayetteville Unified Development Code

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

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)



JORGENSEN & ASSOCIATES

CIVIL ENGINEERS • SURVEYORS

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

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

JUSTIN L. JORGENSEN, P.E.

BLAKE E. JORGENSEN, P.E.

City of Fayetteville
113 W. Mountain
Fayetteville, AR 72701

Attn: Development Services
Re: Rezoning

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

- A. The current owner of this site is as follows:
 - a. 765-13581-000 (Porter Road LLC)
 - b. 765-13555-000 (Porter Road LLC)
 - c. 765-13579-001 (Porter Road LLC)
- B. Currently this property is zoned CS. The reason for the requested C-2 zoning is to allow this property to be developed under C-2 conditions. Conditional use requests under CS were discussed with the director of planning and the city attorney and both felt the most appropriate zoning for the property owner's planned use was C-2
- C. The property due west is zoned C-1. The property to the north has RMF-24 & C-2 zonings, and the immediate properties to the east (Subaru – the parent tract of this rezoning request) is C-2 and a portion is C-1. Converting the CS to C-2 will allow the rest of the vacant land to develop in a similar nature to the adjoining existing C-2 zoning (Subaru)
- D. Existing water and sewer are already at this site.
- E. We feel the requested zonings are in line with the goals of the City Plan 2030 for rezoning and development in the future as to be consistent the adjacent developments.
- F. The Subaru Dealership has been successful beyond reasonable expectation with 500% growth in five years. The economy as a whole has also improved requiring an expansion to accommodate increases in service, sales, and employee parking. C-2 zoning is needed at this time.
- G. Adjacent streets have been improved in recent years allow this area to grow.
- H. The potential to increase the population density in this area as a result of this rezoning would not undesirably increase load on public services. The property at question lies between I-49 and the frontage road. Significant improvements have been made to Shiloh drive so that will allow for increased loads.
- I. Community Services zoning has been found to be impractical and and there are no form based zones that allow for car dealerships creating a significant hardship under the current zoning restrictions.

PREPARED BY
JORDEN HENRI & ASSOCIATES
ENTRUSTED DESIGN
CIVIL ENGINEERING
SURVEYING

120 W. SUNDRISS LANE
 FAYETTEVILLE, AR 72701
 PHONE: (501) 382-1122
 FAX: (501) 382-1127

LEGEND

- SET POINT OR CAP
- EXISTING CURB FIN
- ◎ EXISTING STREET MANHOLE
- ◉ EXISTING F. SEWER LAY
- ◌ EXISTING WATER LAY
- ◊ EXISTING G. WATER LAY
- EXISTING GAS LINE
- EXISTING WATER MAIN
- EXISTING SEWER MAIN
- EXISTING SANITARY LAY
- EXISTING DRAINAGE PIPE

PROJECT LOCATION: FAYETTEVILLE, AR

PROJECT TITLE:

REVISIONS:

DATE:

PROJECT & SURVEY:

SCALE: 1" = 40'

PROJECT DETAILS:

PROPERTY HEREON:

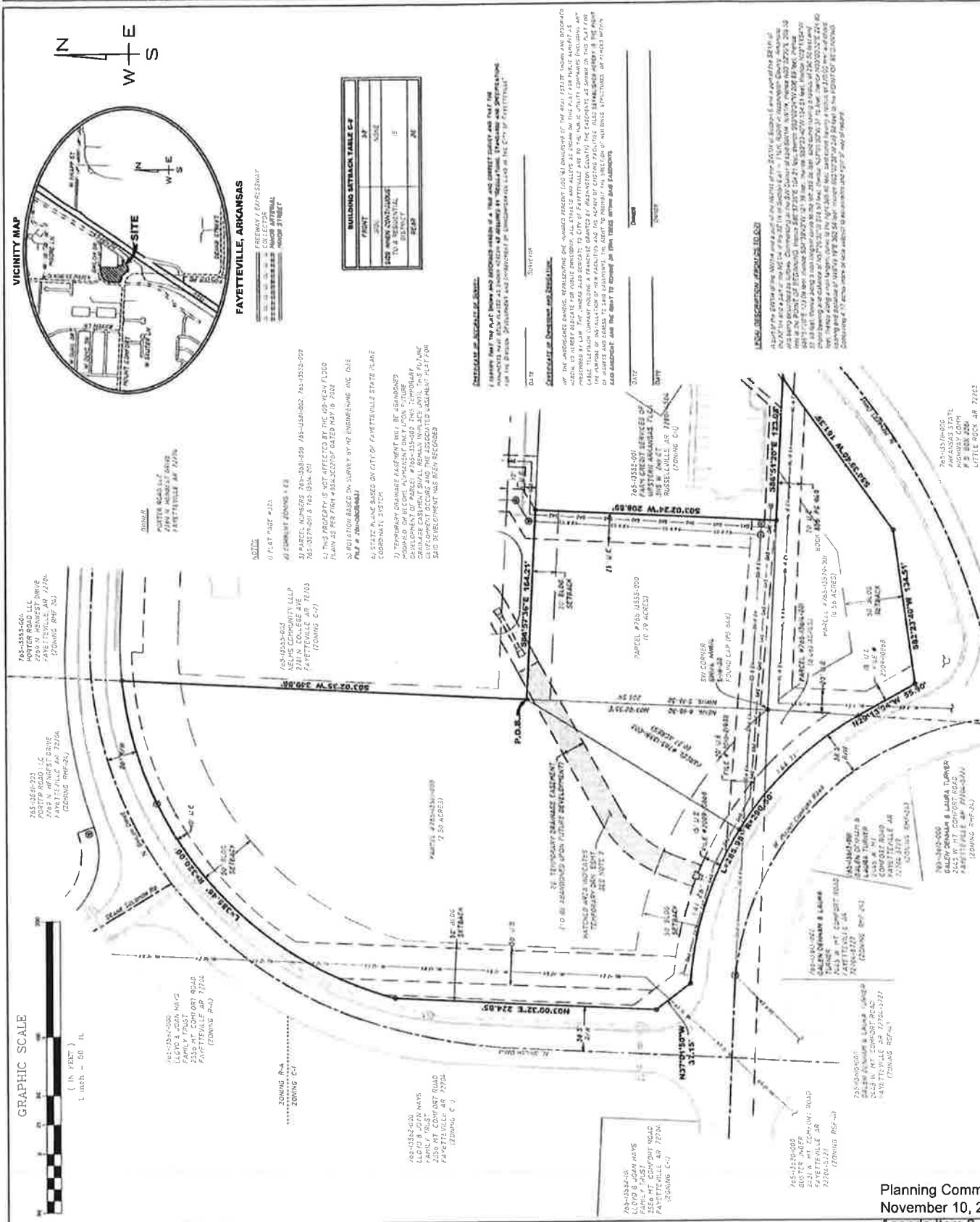
DATE:

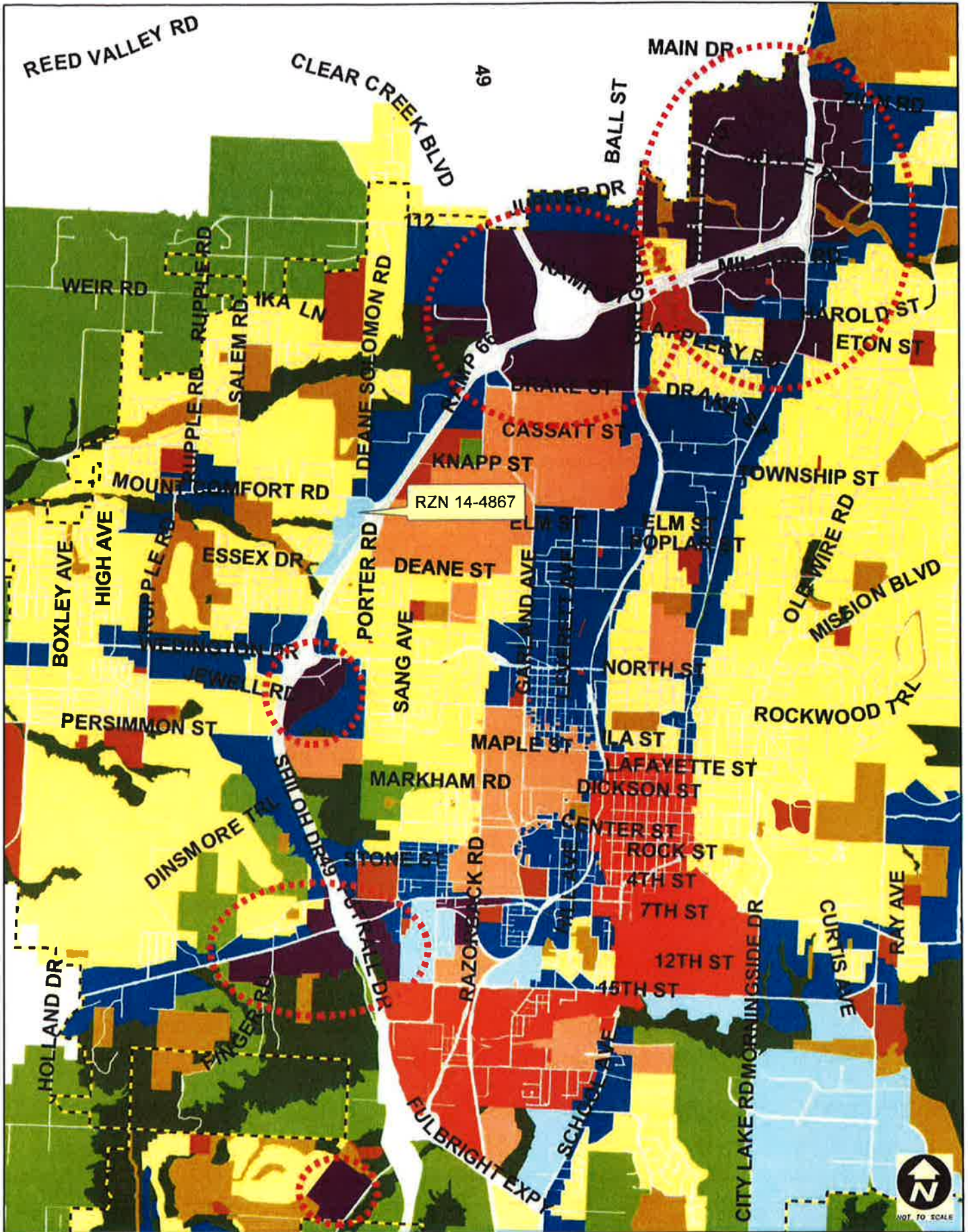
SCALE: 1" = 40'

PLANNING COMMISSION
CITY OF FAYETTEVILLE, ARKANSAS
NO. 724
ASSOCIATES
REZONING - 5

SHEET NUMBER
 1

1






 I-49 regional commercial nodes

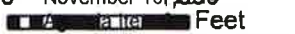
City Plan 2030 Future Land Use Plan

0 4,000
 Planning Commission
 November 10, 2011 Feet
 Agenda Item 000 feet
 14-4867 Adventure Subaru
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 C-2 or C-PZD equivalent zoning

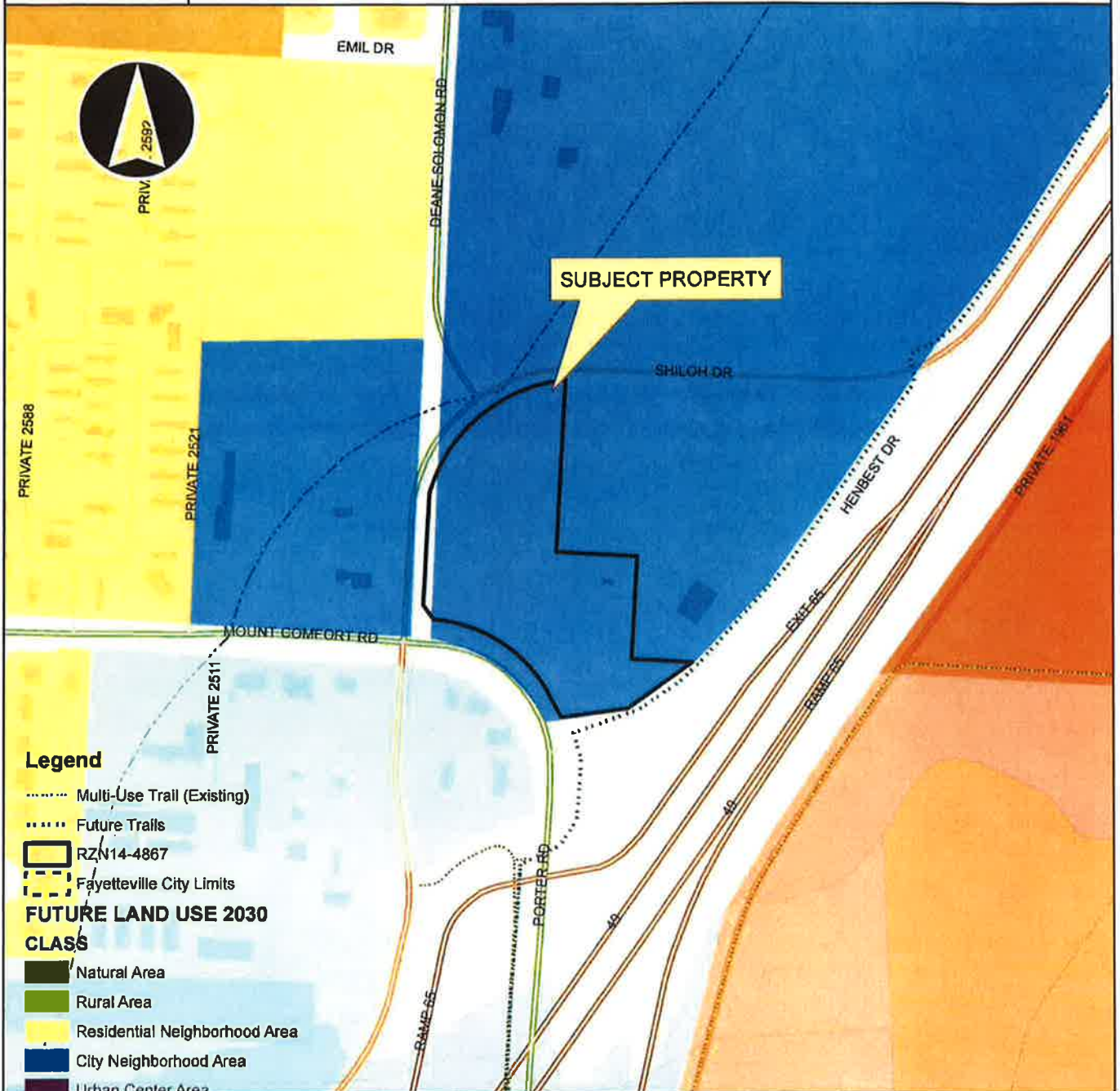
 Vacant land (approximately 46 acres)

1 inch = 1,000 feet
 Planning Commission
 0 November 10, 2009
 Feet
 14-4867 Adventure Subaru
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RZN14-4867

ADVENTURE SUBARU

Future Land Use



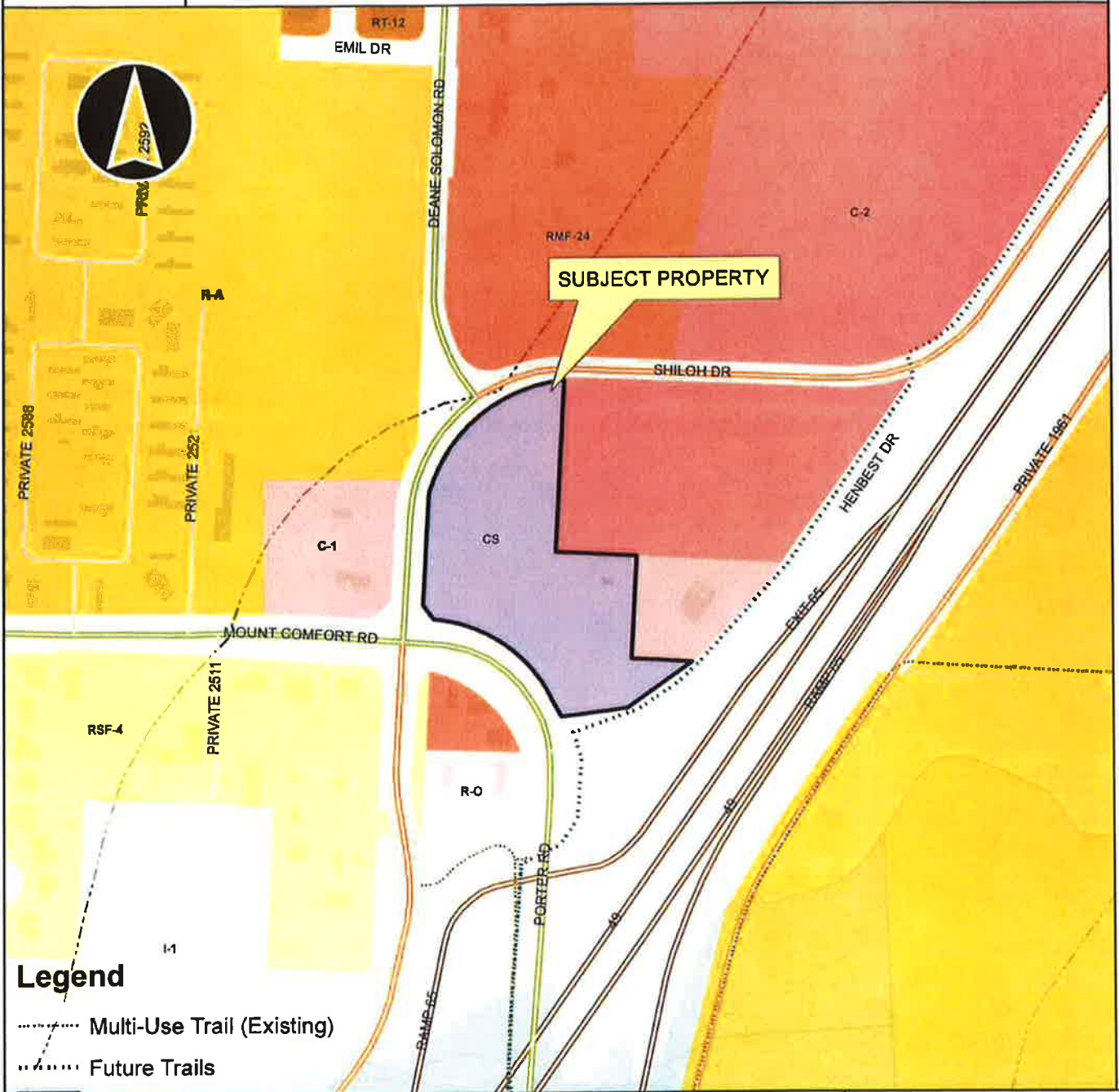
- Industrial
- Complete Neighborhood Plan
- Civic and Private Open Space/Parks
- Civic Institutional
- Non-Municipal Government
- ROW
- Design Overlay District
- Planning Area



RZN14-4867

ADVENTURE SUBARU

Close Up View



Legend

- Multi-Use Trail (Existing)
- Future Trails

- Overview RZN14-4867
- Fayetteville City Limits
- Footprints 2010
- Hillside-Hilltop Overlay District
- Design Overlay District
- Planning Area








RZN14-4867

ADVENTURE SUBARU

Current Land Use



Overview

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

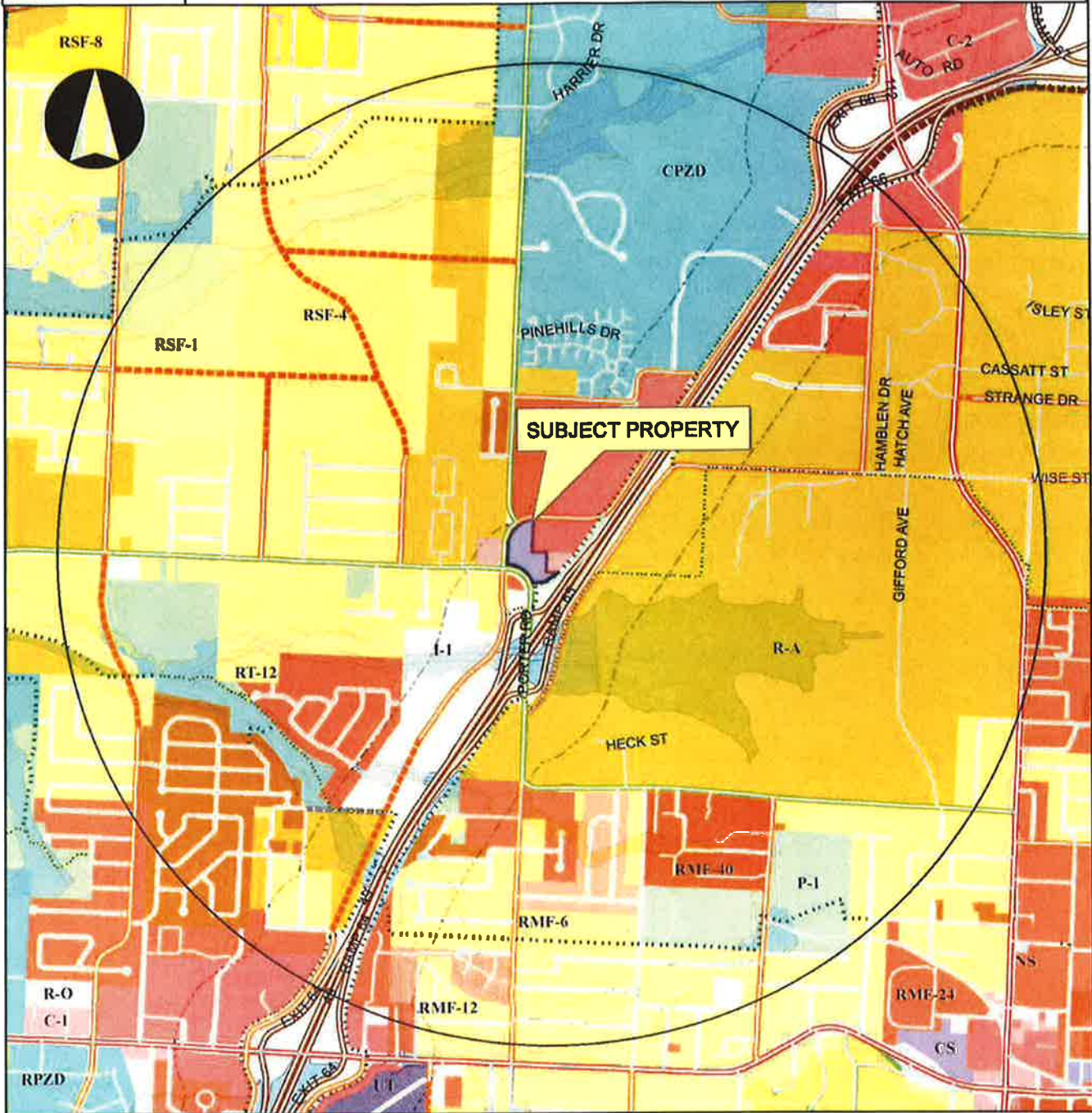


Planning Commission
November 10, 2014

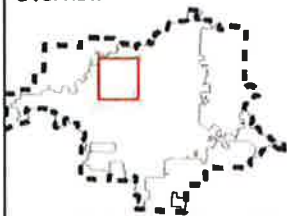
RZN14-4867

ADVENTURE SUBARU

One Mile View



Overview



Legend

Subject Property

Boundary



ORDINANCE NO.

AN ORDINANCE REZONING THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 14-4867, FOR APPROXIMATELY 4.17 ACRES, LOCATED AT 2269 NORTH HENBEST DRIVE FROM CS, COMMUNITY SERVICES, 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 CS, Community Services, 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