

**City of Fayetteville Staff Review Form**

**2015-0029**

**Legistar File ID**

**2/3/2015**

**City Council Meeting Date - Agenda Item Only**

N/A for Non-Agenda Item

Jeremy Pate 

1/16/2015

City Planning /  
Development Services Department

**Submitted By**

**Submitted Date**

**Division / Department**

**Action Recommendation:**

RZN 14-4883: Rezone (HWY. 112 NORTH OF TRUCKERS DRIVE/PARKWEST, 208/209): Submitted by PLANNING STAFF for property located at HWY. 112 NORTH OF TRUCKERS DRIVE. The property is zoned R-PZD 05-1796, RESIDENTIAL PLANNED ZONING DISTRICT PARK WEST and contains approximately 93.04 acres. The request is to rezone 33.38 acres to RSF-8, RESIDENTIAL SINGLE FAMILY, 8 UNITS PER ACRE and 59.66 acres to CS, COMMUNITY SERVICES.

**Budget Impact:**

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

V20140710

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

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

Approval Date: \_\_\_\_\_

Comments:



## CITY COUNCIL AGENDA MEMO

### MEETING OF FEBRUARY 3, 2015

**TO:** Fayetteville City Council

**THRU:** Andrew Garner, Planning Director

**FROM:** Jesse Fulcher, Senior Planner

**DATE:** January 16, 2015

**SUBJECT:** **RZN 14-4883: Rezone (HWY. 112 NORTH OF TRUCKERS DRIVE/PARKWEST, 208/209):** Submitted by PLANNING STAFF for property located at HWY. 112 NORTH OF TRUCKERS DRIVE. The property is zoned R-PZD 05-1796, RESIDENTIAL PLANNED ZONING DISTRICT PARK WEST and contains approximately 93.04 acres. The request is to rezone 33.38 acres to RSF-8, RESIDENTIAL SINGLE FAMILY, 8 UNITS PER ACRE and 59.66 acres to CS, COMMUNITY SERVICES.

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#### RECOMMENDATION:

The Planning Commission and City Planning Staff recommend approval of an ordinance to rezone the property to RSF-8, Residential Single Family, 8 Units per Acre, and CS, Community Services.

#### BACKGROUND:

The subject property is located between Hwy 112 and Deane Solomon Road and contains three separate parcels. Two of the parcels are located at the southeast corner of Hwy 112 and Deane Solomon Road and contain 33.38 acres. The remaining parcel, totaling 59.66 acres, is located along Hwy 112 directly across from the 112 Drive-In. All three parcels are zoned R-PZD Park West, which was a mixed-use development approved by the City Council in 2006 by Ordinance No. 4820. The Park West development was never constructed and the project has expired.

The Park West development was planned on approximately 140 acres. Recently, however, two pieces of the project have been rezoned by the City Council. Approximately 26 acres was rezoned to CS, Community Services and last month another 20.5 acres was rezoned to RMF-12. The subject proposal will rezone the remainder of the original PZD.

*City Plan 2030 Future Land Use Plan designates this site as a **Residential Neighborhood Area and City Neighborhood Area.***

Residential Neighborhood Areas are primarily residential in nature and support a variety of housing types of appropriate scale and context, including single-family, multi-family and row houses. Residential Neighborhood encourages highly connected, compact blocks with gridded street patterns and reduced setbacks. It also encourages traditional neighborhood development that incorporates low-intensity non-residential uses intended to serve the surrounding neighborhood, such as retail and offices, on corners and along connecting corridors.

City Neighborhood Areas are 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.

*Compatibility:* In staff's opinion the two zoning districts proposed for the properties are compatible with surrounding land uses and zonings. The properties at Deane Solomon Road and Hwy 112 are surrounded on three sides by single-family residential development, so the RSF-8 zoning district will be a compatible zoning designation. This zoning allows lots as small as 5,000 square feet, but has no maximum lot size. Staff concluded that the RSF-8 zoning district was the most appropriate for these two properties, as it will allow for the development of a variety of lot sizes and home sizes.

The remaining property has a large percentage of street frontage along Hwy 112, which is a 2-lane state highway. There are plans to widen this section of roadway from Fayetteville to Bentonville to a 5-lane road section, but there is no funding for this project currently. The Community Services zoning district is a compatible and appropriate zoning designation, because of the frontage along Hwy 112, and also because it's bordered on the north by a large church facility that is currently under construction, multi-family zoning to the west, institutional facilities to the southwest, and a trucking facility to the south.

Similar to the variety of land uses that surround this property, the Community Services district allows a mixture of residential, office and commercial land uses. This should allow future development to respond to market demands by providing commercial services provided along Hwy 112 and then transitioning into multi-family and single-family development to the west where land uses are predominantly residential.

**DISCUSSION:**

On January 12, 2015 the Planning Commission forwarded this item to the City Council with a recommendation for approval with a vote of 9-0-0.

**BUDGET/STAFF IMPACT:**

N/A

**Attachments:**

CC Ordinance

Exhibit A

Exhibit B

Planning Commission Staff Report



## PLANNING COMMISSION MEMO

**TO:** City of Fayetteville Planning Commission

**THRU:** Andrew Garner, Planning Director

**FROM:** Jesse Fulcher, Senior Planner

**MEETING DATE:** ~~January 12, 2015~~ Updated January 15, 2015

**SUBJECT:** **RZN 14-4883: Rezone (HWY. 112 NORTH OF TRUCKERS DRIVE/PARKWEST, 208/209):** Submitted by PLANNING STAFF for property located at HWY. 112 NORTH OF TRUCKERS DRIVE. The property is zoned R-PZD 05-1796, RESIDENTIAL PLANNED ZONING DISTRICT PARK WEST and contains approximately 93.04 acres. The request is to rezone 33.38 acres to RSF-8, RESIDENTIAL SINGLE FAMILY, 8 UNITS PER ACRE and 59.66 acres to CS, COMMUNITY SERVICES.

**RECOMMENDATION:**

Staff recommends forwarding **RZN 14-4883** to the City Council with a recommendation for approval.

**BACKGROUND:**

The subject property is located between Hwy 112 and Deane Solomon Road and contains three separate parcels. Two of the parcels are located at the southeast corner of Hwy 112 and Deane Solomon Road and contain 33.38 acres. The remaining parcel, totaling 59.66 acres, is located along Hwy 112 directly across from the 112 Drive-In. All three parcels are zoned R-PZD Park West, which was a mixed-use development approved by the City Council in 2006 by Ordinance No. 4820. The Park West development was never constructed and the project has expired.

The Park West development was planned on approximately 140 acres. Recently, however, two pieces of the project have been rezoned by the City Council. Approximately 26 acres was rezoned to CS, Community Services and last month another 20.5 acres was rezoned to RMF-12. The subject proposal will rezone the remainder of the original PZD. The surrounding zoning and land uses are depicted in *Table 1*.

**Table 1 - Surrounding Zoning and Land Use – RSF-8 Proposal at Deane Solomon and Hwy 112**

Direction from Site	Land Use	Zoning
North	Single-family/Undeveloped	RSF-4, Residential Single-family/R-A, Residential Agricultural
South	Single-family/Undeveloped	R-A, Residential Agricultural/CS, Community Services
East	Single-family/Bio-Tech Pharmacal	R-A, Residential Agricultural
West	Single-family	RSF-4, Residential Single-family/R-A, Residential Agricultural

**Table 2 - Surrounding Zoning and Land Use – CS Proposal at Hwy 112**

<b>Direction from Site</b>	<b>Land Use</b>	<b>Zoning</b>
North	Fellowship Church	CS, Community Services
South	Industrial/Undeveloped	I-1, Heavy Commercial/Light Industrial/R-A, Residential Agricultural
East	Drive-in Theatre	C-2, Thoroughfare Commercial
West	Undeveloped	R-A, Residential Agricultural/RMF-12, Residential Multi-family

*Request:* The request is to rezone the north 33.38 acres to RSF-8, Residential Single-family, 8 units per acre and rezone the south 59.66 acres to CS, Community Services.

*Notification and Public Comment:* Planning staff sent letters via certified mail to each property owner (Simmons First Bank and Legacy National Bank), summarizing staff’s rezoning proposal for the specific property and noting the public hearing date, time, and location. A sample letter is included in the staff report.

Staff received a letter from a neighbor on Deane Solomon Road that supports the recommendation for RSF-8.

**INFRASTRUCTURE:**

**Streets:** The site has access to Hwy 112 (Principle Arterial) and Deane Solomon Road (Minor Arterial). Both are unimproved two-lane streets. Improvements will be determined at the time of development.

**Water:** Public water is accessible to the site. There is an existing 6-inch water main along the north side of Hwy 112 and a 6-inch and 36-inch line along the east side of Hwy 112.

**Sewer:** Sanitary sewer is available to the site. There is an existing 8-inch sewer main that crosses through all three parcels.

**Drainage:** Any additional improvements or requirements for drainage will be determined at time of development. This property is affected by the 100-year floodplain and the Streamside Protection Ordinance. There are some US Army Corps of Engineers designated wetlands on the southernmost parcel. Corps permitting will be determined at the time of development.

**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 a **Residential Neighborhood Area and City Neighborhood Area.***

Residential Neighborhood Areas are primarily residential in nature and support a variety of housing types of appropriate scale and context, including single-family, multi-family and row houses. Residential Neighborhood encourages highly connected, compact blocks with gridded street patterns and reduced setbacks. It also encourages traditional neighborhood development that incorporates low-intensity non-residential uses intended to serve the surrounding neighborhood, such as retail and offices, on corners and along connecting corridors.

City Neighborhood Areas are 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.

**DISCUSSION:**

**FINDINGS OF THE STAFF**

**Recommendation:** Staff recommends forwarding **RZN 14-4883** to the City Council with a recommendation for approval.

<b>PLANNING COMMISSION ACTION:</b>		Required	<u>YES</u>
Date: <u>January 12, 2015</u>	<input type="checkbox"/> Tabled	<input checked="" type="checkbox"/> Forwarded	<input type="checkbox"/> Denied
Motion: Chesser	Second: Selby	Vote: 9-0-0	
<b>CITY COUNCIL ACTION:</b>		Required	<u>YES</u>
Date: <u>February 3, 2015</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:** In staff's opinion the two zoning districts proposed for the properties are consistent with land use planning objectives and land use plans. The properties at Deane Solomon Road and Hwy 112 are surrounded on three sides by single-family residential development, so the RSF-8 zoning district will be a compatible zoning designation. This zoning allows lots as small as 5,000 square feet, but has no maximum lot size. Staff concluded that the RSF-8 zoning district was the most appropriate for these two properties, as it will allow for the development of a variety of lot sizes and home sizes.

The remaining property has a large percentage of street frontage along Hwy 112, which is a 2-lane state highway. There are plans to widen this section of roadway from Fayetteville to Bentonville to a 5-lane road section, but there is no funding for this project currently. The Community Services zoning district is a compatible and appropriate zoning designation, because of the frontage along Hwy 112, and also because it's bordered on the north by a large church facility that is currently under construction, multi-family zoning to the west, institutional facilities to the southwest, and a trucking facility to the south.

Similar to the variety of land uses that surround this property, the Community Services district allows a mixture of residential, office and commercial land uses. This should allow future development to respond to market demands by providing commercial services provided along Hwy 112 and then transitioning into multi-family and single-family development to the west where land uses are predominantly residential.

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 rezoning is justified and needed at this time. Currently, the property is zoned R-PZD Park West, but all development rights have expired. This creates challenges for the current property owner and any future buyer, as nothing can be developed on the property without a rezoning. Several parts of the expired PZD have been rezoned by the owner, however, there are no plans that staff is aware of to rezone the remaining 93 acres.

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

**Finding:** The property is currently undeveloped and there are no development rights, since the PZD approval has expired. Any rezoning action will increase traffic congestion in the area. However, any new development will also create the requirement for new streets and street improvements that will help facilitate additional traffic. With adequate street connections to Deane Solomon, Hwy 112 and Truckers Drive, as well as internal connectivity between developments, traffic danger and congestion should be minimized.

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 to RSF-8 and Community Services will likely increase population density and commercial intensity. There are adequate water and sewer services along and within this property to support future development. The Fayetteville Police and Fire Departments have reviewed and commented on this rezoning request with no objections.

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 161.09 & 161.19
- Park West PZD documents
- Request letter
- Letter to property owners
- Fire response letter
- Public comment
- One Mile Map
- Close Up Map
- Current Land Use Map
- Future Land Use Map



**161.09 District RSF-8, Residential Single-Family – 8 Units Per Acre**

(A) *Purpose.* The RSF-8 Residential District is designed to bring historic platted development into conformity and to allow for the development of new single family residential areas with similar lot size, density, and land use as the historical neighborhoods in the downtown area.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings

(2) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 9	Two-family dwellings
Unit 12	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities
Unit 44	Cottage Housing Development

(C) *Density.*

	By Right
Single-family dwelling units per acre	8 or less

(D) *Bulk and area regulations.*

(1) *Lot width minimum.*

Single-family	50 ft.
Two-family	50 ft.
Townhouse, no more than two attached	25 ft.

(2) *Lot area minimum.*

Single-family	5,000 sq. ft.
Two-family	5,000 sq. ft.

(3) *Land area per dwelling unit.*

Single-family	5,000 sq. ft.
Two-family	5,000 sq. ft.
Townhouse, no more than two attached	2,500 sq. ft.

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(E) *Setback requirements.*

Front	Side	Rear
15 ft.	5 ft.	5 ft.

(F) *Height regulations.*

Building Height Maximum	45 ft.
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(G) *Building area.* The area occupied by all buildings shall not exceed 50% of the total lot area, except when a detached garage exists or is proposed; then the area occupied by all buildings shall not exceed 60% of the total lot area.

(Ord. 4783, 10-18-05; Ord. 5028, 6-19-07; Ord. 5128, 4-15-08; Ord. 5224, 3-3-09; Ord. 5312, 4-20-10; Ord. 5462, 12-6-11)

TITLE XV 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

(2) *Lot area minimum.* None

(E) *Setback regulations.*

Front:	A build-to zone that is located between 10 feet and a line 25 feet from the front property line.
Side and rear:	None
Side or rear, when contiguous to a single-family residential district:	15 feet

(F) *Building Height Regulations.*

Building Height Maximum	56 ft.
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(G) *Minimum buildable street frontage.* 50% of the lot width.

(Ord. 5312, 4-20-10; Ord. 5339, 8-3-10; Ord. 5462, 12-6-11; Ord. 5592, 6-18-13; Ord. 5664, 2-18-14)

**PARK WEST R-PZD**

**05-1796**

**ORDINANCE NO. 4820**

AN ORDINANCE ESTABLISHING A MASTER DEVELOPMENT PLAN ~~RESIDENTIAL PLANNED ZONING DISTRICT~~, TITLED ~~R-PZD 05-1796~~, PARK WEST, LOCATED AT HWY 112 EAST OF DEANE SOLOMON ROAD, CONTAINING APPROXIMATELY ~~139.45 ACRES~~; AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FAYETTEVILLE; AND ADOPTING THE ASSOCIATED MASTER DEVELOPMENT PLAN.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:**

**Section 1:** That the zone classification of the following described property is hereby changed as follows:

From R-A, Residential-Agricultural and RSF-4, Residential Single Family, 4 units per acre, to R-PZD 05-1796 as shown in Exhibit "A" and Exhibit "B" attached hereto and made a part hereof.

**Section 2.** That the change in zoning classification is based upon the approved master development plan, development standards, and conditions of approval as submitted, determined appropriate and approved by the City Council.

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


**Section 4.** That the official zoning map of the City of Fayetteville, Arkansas, is hereby amended to reflect the zoning change provided in Section 1 above.

**PASSED AND APPROVED** this 17th day of January, 2006.

**APPROVED:**

By:   
**DAN COODY, Mayor**

**ATTEST:**

By:   
**SONDRA SMITH, City Clerk**



**EXHIBIT "A"**  
**R-PZD 05-1796**

FORMERLY THE "MIKE AND BRENDA PRICE PROPERTY"

A PART OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION TWENTY-EIGHT (28), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTY (30) WEST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID 40 ACRE TRACT, SAID POINT BEING IN ARKANSAS HIGHWAY #112; THENCE SOUTH 01° 21' 02" WEST ALONG THE WEST LINE OF SAID 40 ACRE TRACT 60.40 FEET TO AN EXISTING IRON ON THE SOUTH RIGHT-OF-WAY LINE OF SAID HIGHWAY FOR THE TRUE POINT OF BEGINNING; THENCE SOUTH 88° 44' 20" EAST ALONG SAID RIGHT OF WAY 636.06 FEET TO AN EXISTING IRON; THENCE LEAVING SAID RIGHT OF WAY SOUTH 00° 40' 42" EAST 565.86 FEET TO AN EXISTING IRON; THENCE SOUTH 01° 01' 05" WEST 179.25 FEET TO AN EXISTING IRON AT A FENCE CORNER; THENCE SOUTH 01° 01' 05" WEST 161.92 FEET TO A SET ½" IRON REBAR ON THE PROPOSED NORTH RIGHT OF WAY LINE OF AN UNDEVELOPED STREET AS SHOWN ON THE MASTER STREET PLAN FOR FAYETTEVILLE, ARKANSAS; THENCE NORTH 88° 33' 19" WEST ALONG SAID PROPOSED RIGHT OF WAY LINE 658.07 FEET TO A SET 1/2" IRON REBAR ON THE WEST LINE OF SAID 40 ACRE TRACT; THENCE NORTH 01° 21' 02" EAST 904.60 FEET TO THE POINT OF BEGINNING, CONTAINING 13.52 ACRES, MORE OR LESS.

FORMERLY THE "GRAVES PROPERTY"

A PART OF THE E1/2 OF THE SW1/4 AND A PART OF THE W1/2 OF THE SE1/4, ALL IN SECTION 28, T-17-N, R-30-W, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NW CORNER OF THE NE1/4 OF THE SW1/4 OF SAID SECTION 28, AND CONTINUING S 87°14'29" E ALONG THE NORTH BOUNDARY OF SAID 40 ACRE TRACT 634.01 FEET, AND THENCE S 00°11'32" W, 628.47 FEET TO AN EXISTING STEEL FENCE POST, AND THENCE S 03°03'56" W, 178.40 FEET TO AN EXISTING IRON PIN, AT A FENCE CORNER, SAID POINT BEING THE POINT OF BEGINNING; THENCE S 87°12'12" E, 1927.53 FEET TO AN EXISTING IRON PIN ON THE WESTERLY RIGHT-OF-WAY OF ARKANSAS HIGHWAY 112, SAID RIGHT-OF-WAY BEING 55 FEET WEST OF SAID HIGHWAY CENTERLINE; THENCE ALONG SAID RIGHT-OF-WAY, S 02°43'05" W, 1453.41 FEET, S 02°02'13" W, 63.14 FEET, S 00°11'37" W, 51.97 FEET, S 03°04'20" E, 40.08 FEET, S 07°04'17" E, 55.68 FEET, S 11°50'57" E, 58.74 FEET, S 15°35'06" E, 71.32 FEET, AND S 18°14'06" E, 15.95 FEET TO A POINT ON THE EASTERLY BOUNDARY OF SAID 80 ACRE TRACT; THENCE LEAVING SAID RIGHT-OF-WAY S 02°32'41" W, 26.08 FEET TO A FOUND ALUMINUM CAPPED IRON PIN AT THE SE CORNER OF THE SW1/4 OF THE SE1/4 OF SAID SECTION 28; THENCE N 87°09'05" W, 1322.12 FEET TO AN EXISTING FENCE CORNER AT THE SOUTH QUARTER CORNER OF SAID SECTION 28; THENCE N 87°21'56" W, 1316.30 FEET TO AN EXISTING IRON PIN AT THE SW CORNER OF THE SE 1/4 OF THE SW1/4 OF SAID SECTION 28; THENCE N 02°31'02" E ALONG THE WEST BOUNDARY OF THE E1/2 OF THE

SW1/4, 1672.02 FEET TO A SET IRON PIN, LOCATED 965.00 FEET SOUTH OF THE NW CORNER OF THE NE1/4 OF THE NW1/4; THENCE LEAVING SAID WEST BOUNDARY S 86°57'53" E, 656.27 FEET TO A SET IRON PIN; AND THENCE N 03°03'56" E, 161.92 FEET TO THE POINT OF BEGINNING, CONTAINING 106.15 ACRES, MORE OR LESS, FAYETTEVILLE, WASHINGTON COUNTY ARKANSAS. SUBJECT TO: EASEMENTS OF RECORD DESCRIBED AS INSTRUMENT # 9344456 & 2002 084864, AND OTHER DOCUMENTS OF RECORD NOT SHOWN HEREON.

FORMERLY THE "VAWTER PROPERTY"

A PART OF THE WEST HALF (W1/2) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION TWENTY-EIGHT (28), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTY (30) WEST, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SW1/4 OF SAID SECTION 28-17-30, THENCE S87°14'29"E 1320.14 FEET TO A POINT ON THE EAST LINE OF THE WEST HALF (W1/2), SOUTHWEST QUARTER (SWL/4) SAID SECTION, THENCE S02°31'02"W, 34.99 FEET ALONG SAID EAST LINE TO THE SOUTHERN RIGHT-OF-WAY ARKANSAS HIGHWAY NO. 112 AND THE POINT OF BEGINNING. THENCE CONTINUING ALONG SAID EAST LINE S 02°31'02" W, 1298.63 FEET; THENCE N87°16'08"W 600.60 FEET TO THE EAST RIGHT-OF-WAY OF WASHINGTON COUNTY ROAD NO. 890, THENCE ALONG SAID RIGHT-OF-WAY N10°49'52"E 321.00 FEET, THENCE WITH SAID RIGHT-OF-WAY N07°55'08"W, 284.30 FEET, THENCE WITH SAID RIGHT-OF-WAY N25°41'08" W, 166.10 FEET, THENCE WITH SAID RIGHT-OF-WAY N14°35'08"W 576.59 FEET TO THE SOUTHERN RIGHT-OF-WAY OF ARKANSAS HIGHWAY NO. 112, THENCE ALONG SAID RIGHT-OF-WAY S87°35'48E 853.75 FEET TO THE POINT OF BEGINNING, ALL LOCATED IN FAYETTEVILLE, WASHINGTON COUNTY, ARKANSAS AND CONTAINING 19.860 ACRES, MORE OR LESS.

Exhibit B

**The following pages include the requirements for each Planning Area as approved by the Planning Commission. Outlined under each Planning Area are the zoning standards as outlined in Chapter 161 of the Unified Development Code. The proposed project booklet also outlines the zoning criteria for each Planning Area, though there are discrepancies found between the two. The applicant shall revise the project booklet to reflect those criteria approved by the Planning Commission.**

**Planning Area 1 (PA-1) – Single Family Residential**

AREA: 26.05 acres

(A) *Purpose.* See project booklet

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwelling
Unit 9	Two-family dwellings
Unit 10	Three-family dwellings
Unit 24	Home occupations

(2) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
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(C) *Density.*

	Single-family, Two- and Three-family dwellings
Units per acre	4 or less

(D) *Bulk and area regulations.*

(1) *Lot width minimum.*

Single family	30 ft.
Two-family	30 ft. (per unit)
Three-family	30 ft. (per unit)

(2) *Lot area minimum.*

Townhouse:	
Individual lot	2,500 sq. ft.
Single-family	4,000 sq. ft.
Two-family	2,400 sq. ft. (per unit)
Three-family	2,400 sq. ft. (per unit)

(3) *Land area per dwelling unit.*

Townhouses & apartments	
No bedroom	1,700 sq. ft.
One bedroom	1,700 sq. ft.
Two or more bedrooms	2,000 sq. ft.

(E) *Setback requirements.*

	Front	Side	Rear
Single-family	14' *	6'	Minimum 10' **
Two- and Three-family	14' *	0'	Minimum 10' **

\* A build-to line.

\*\* The rear building setbacks may range from 10' to 20' depending on the location of utilities. All structures shall be setback 20' from the centerline of any alley or easement.

(F) *Height.* No structure shall exceed three stories, exclusive of the basement.

(G) *Building area.*

Detached dwelling Units: On any lot the area occupied by all buildings shall not exceed 60% of the total area of such lot.

Attached dwelling Units: On any lot the area occupied by all buildings shall not exceed 80% of the total area of such lot.

(H) *Maximum Dwelling Units:* 91

(I) *Architectural Design Standards:*  
Reference the Project Booklet



**Planning Area 2 (PA-2) – Town Homes/Single Family Attached**

AREA: 12.15 acres

(A) *Purpose.* See project booklet

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwelling
Unit 9	Two-family dwellings
Unit 10	Three-family dwellings
Unit 24	Home occupations
Unit 26	Multi-family dwellings

(2) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
--------	--

(C) *Density.*

	Single-family, Two- and Three-family dwellings
Units per acre	6 or less

(D) *Bulk and area regulations.*

(1) *Lot width minimum.*

Single family	30 ft.
Two-family	30 ft. (per unit)
Three and more	30 ft. (per unit)

(2) *Lot area minimum.*

Townhouse:	
Individual lot	2,700 sq. ft.
Single-family	2,700 sq. ft.
Two-family	2,700 sq. ft. (per unit)
Three or more	2,700 sq. ft. (per unit)

(3) *Land area per dwelling-unit.*

Townhouses & apartments	
No bedroom	1,000 sq. ft.
One bedroom	1,000 sq. ft.
Two or more bedrooms	1,200 sq. ft.

(E) *Setback requirements.*

	Front	Side	Rear
Single-family	10' *	0'	Minimum 20'; 30' from centerline of alley or easement
Two- and Three-family	10' *	0'	Minimum 20'; 30' from centerline of alley or easement

\* A build-to line, wherever possible.

(F) *Height.* Minimum two (2) stories. Maximum 45 feet.

(G) *Building area.* On any lot the area occupied by all buildings shall not exceed 80% of the total area of such lot.

(H) *Maximum Dwelling Units:* 72

(I) *Architectural Design Standards:*  
Reference the Project Booklet

**Planning Area 3 (PA-3) – Plaza Condominium**

AREA: 4.01 acres

(A) *Purpose.* See project booklet

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwelling
Unit 9	Two-family dwellings
Unit 10	Three-family dwellings
Unit 12	Offices, studios and related services
Unit 13	Eating places
Unit 15	Neighborhood shopping goods
Unit 16	Shopping goods
Unit 25	Professional offices
Unit 26	Multi-family dwellings

(2) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
Unit 14	Hotel, motel, amusement facilities
Unit 24	Home occupations

(C) *Density.*

Units per acre	40 or less
----------------	------------

(D) *Bulk and area regulations.*

(1) *Lot width minimum.*

Single family	30 ft.
Two-family	30 ft.
Three and more	30 ft.
Non-residential	0 ft

(2) *Lot area minimum.*

Townhouse:	
Individual lot	3,000 sq. ft.
Single-family	3,000 sq. ft.
Two-family	3,000 sq. ft.
Three or more	3,000 sq. ft.
Non-Residential	No Minimum

(3) *Land area per dwelling unit.*

Townhouses & apartments	
No bedroom	1,000 sq. ft.
One bedroom	1,000 sq. ft.
Two or more bedrooms	1,200 sq. ft.

(E) *Setback requirements.*

Front	Side	Rear
20	0'	20'

(F) *Height.* Minimum two (2) stories.  
Maximum seven (7) stories.

(G) *Building area.* 85% of the site

(H) *Maximum Dwelling Units:* 160

(I) *Maximum Bedrooms:* 320

(J) *Maximum Intensity:* 26,000 sq. ft. non-residential use

(K) *Architectural Design Standards:*  
Reference the Project Booklet

**Planning Area 4 (PA-4) – Courtyard  
Multi-Family**

AREA: 7.83 acres

(A) *Purpose.* See project booklet

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwelling
Unit 9	Two-family dwellings
Unit 10	Three-family dwellings
Unit 12	Offices, studios and related services
Unit 13	Eating places
Unit 15	Neighborhood shopping goods
Unit 16	Shopping goods
Unit 25	Professional offices
Unit 26	Multi-family dwellings

(2) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 24	Home occupations

(C) *Density.*

Units per acre	40 or less
----------------	------------

(E) *Bulk and area regulations.*

(1) *Lot width minimum.*

Single family	30 ft.
Two-family	30 ft.
Three and more	30 ft.

(2) *Lot area minimum.*

Townhouse:	
Individual lot	3,000 sq. ft.
Single-family	3,000 sq. ft.
Two-family	3,000 sq. ft.
Three or more	3,000 sq. ft.
Non-Residential	No Minimum

(3) *Land area per dwelling unit.*

Townhouses & apartments	
No bedroom	1,000 sq. ft.
One bedroom	1,000 sq. ft.
Two or more bedrooms	1,200 sq. ft.

(E) *Setback requirements.*

Front	Side	Rear
16' from a public street or alley	16'	16'
10' from a private drive or access easement		

(F) *Height.* Minimum two (2) stories.  
Maximum four (4) stories.

(G) *Building area.* 85% of the site

(H) *Maximum Dwelling Units:* 313

(I) *Maximum Bedrooms:* 626

(J) *Maximum Intensity:* 25,000 sq. ft. non-residential use

(K) *Architectural Design Standards:*  
Reference the Project Booklet

**Planning Area 5 (PA-5) – Multi-Family Residential**

AREA: 4.79 acres

(A) *Purpose.* See project booklet

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwelling
Unit 9	Two-family dwellings
Unit 10	Three-family dwellings
Unit 12	Offices, studios and related services
Unit 13	Eating places
Unit 15	Neighborhood shopping goods
Unit 16	Shopping goods
Unit 25	Professional offices
Unit 26	Multi-family dwellings

(2) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 24	Home occupations

(C) *Density.*

Units per acre	36 or less
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(F) *Bulk and area regulations.*

(1) *Lot width minimum.*

Single family	30 ft.
Two-family	30 ft.
Three and more	30 ft.

(2) *Lot area minimum.*

Townhouse:	
Individual lot	3,000 sq. ft.
Single-family	3,000 sq. ft.
Two-family	3,000 sq. ft.
Three or more	3,000 sq. ft.

(3) *Land area per dwelling unit.*

Townhouses & apartments	
No bedroom	1,000 sq. ft.
One bedroom	1,000 sq. ft.
Two or more bedrooms	1,200 sq. ft.

(E) *Setback requirements.*

Front	Side	Rear
30' from a public street	10'	20'
10' from a private drive or access easement		

(F) *Height.* Minimum two (2) stories.  
Maximum 4 stories otherwise.

(G) *Building area.* 85% of the site

(H) *Maximum Dwelling Units:* 172

(I) *Maximum Bedrooms:* 344

(J) *Maximum Intensity:* 10,000 sq. ft. non-residential use

(K) *Architectural Design Standards:*  
Reference the Project Booklet

**Planning Area 6, 7, 8, 9 (PA-6, PA-7, PA-8, PA-9) – Preserve/Botanical/Detention**

**AREA:**

- PA-6: 4.85 acres
- PA-7: 1.17 acres
- PA-8: 2.31 acres
- PA-9: 10.47 acres

(A) *Purpose.* See project booklet

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
--------	-------------------------

(2) *Conditional uses.*

Unit 4	Cultural and recreational facilities
--------	--------------------------------------

(C) *Density.* None (not applicable)

(G) *Bulk and area regulations.* None (not applicable)

(E) *Setback requirements.*

Front	Side	Rear
15'	10'	15'

(F) *Height.* No maximum height.

(G) *Building area.* No maximum building area.

(H) *Maximum Dwelling Units:* Not applicable

(I) *Maximum Bedrooms:* Not applicable

(J) *Architectural Design Standards:* Not applicable

**Planning Area 10 (PA-10) – Civic Lawn**

AREA: 1.29

(A) *Purpose.* See project booklet

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
--------	-------------------------

(2) *Conditional uses.*

Unit 4	Cultural and recreational facilities
--------	--------------------------------------

(C) *Density.* None (not applicable)

*Bulk and area regulations.* None (not applicable)

(E) *Setback requirements.*

Front	Side	Rear
15'	10'	15'

(F) *Height.* No maximum height.

(G) *Building area.* No maximum building area.

(H) *Maximum Dwelling Units:* Not applicable

(I) *Maximum Bedrooms:* Not applicable

(J) *Architectural Design Standards:* Not applicable

**Planning Area 11, 12 (PA-11, PA-12) –  
Mixed Use Districts**

**AREA:**

PA-11: 31.82 acres  
PA-12: 5.77 acres

(A) *Purpose.* See project booklet

**(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 8	Single-family dwelling
Unit 9	Two-family dwellings
Unit 10	Three-family dwellings
Unit 12	Offices, studios and related services
Unit 13	Eating places
Unit 14	Hotel, motel, and amusement facilities
Unit 15	Neighborhood shopping goods
Unit 16	Shopping goods
Unit 17	Trades and services
Unit 19	Commercial recreation, small sites
Unit 24	Home occupations
Unit 25	Professional offices
Unit 26	Multi-family dwellings
Unit 34	Liquor store

**(2) Conditional uses.**

Unit 2	City-wide uses by conditional use permit
Unit 5	Government facilities
Unit 18	Gasoline, service stations, and drive-in restaurants
Unit 21	Warehousing and wholesale
Unit 29	Dance halls
Unit 35	Outdoor music establishments

**(C) Density.**

Units per acre	24 or less
----------------	------------

(H) *Bulk and area regulations.*

**(1) Lot width minimum.**

Single family	30 ft.
Two-family	30 ft.
Three and more	30 ft.
Non-residential	0 ft.

**(2) Lot area minimum.**

Townhouse:	
Individual lot	3,000 sq. ft.
Single-family	3,000 sq. ft.
Two-family	3,000 sq. ft.
Three or more	3,000 sq. ft.
Non-residential	0 sq. ft.

**(3) Land area per dwelling unit.**

Townhouses & apartments	
No bedroom	1,000 sq. ft.
One bedroom	1,000 sq. ft.
Two or more bedrooms	1,200 sq. ft.

**(E) Setback requirements.**

Front	Side	Rear
8' to 12' *	20' from public or private access 0' from internal side property lines	5'

\* A build-to line

(F) *Height.* Structures immediately adjacent to the civic lawn shall have a minimum height of 30'. Structures adjacent to main streets shall be a minimum two-stories in height. Maximum height of four (4) stories otherwise.

(G) *Building area.* 85% of the site

**(H) Maximum Dwelling Units:**

PA-11: 783  
PA-12: 138

**(I) Maximum Intensity:**

PA-11: 520,000 sq. ft.  
PA-12: 60,000 sq. ft.

**(J) Architectural Design Standards:**

Reference the Project Booklet

**Planning Area 13 (PA-13) –  
Neighborhood Commercial**

AREA: 4.21 acres

(A) *Purpose.* See project booklet

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 12	Offices, studios and related services
Unit 13	Eating places
Unit 15	Neighborhood shopping goods
Unit 18	Gasoline, service stations, and drive-in restaurants
Unit 25	Professional offices
Unit 26	Multi-family dwellings

(2) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 35	Outdoor music establishments
Unit 36	Wireless communication facilities

(C) *Density.*

Units per acre	24 or less
----------------	------------

(D) *Bulk and area regulations.*

(1) *Lot width minimum.*

Residential Use – None  
Non-residential – None

(2) *Lot area minimum.*

Residential Use – None  
Non-residential – None

(3) *Land area per dwelling unit.*

Townhomes or Apartments:	
•No bedroom	1,700 sq. ft.
•One bedroom	1,700 sq. ft.
•Two bedroom	2,000 sq. ft.

(E) *Setback requirements.*

Front	Side	Rear
50'	0' 25' when contiguous to residential district	20'

(F) *Height.* Maximum 4 stories

(G) *Building area.* 85% of the site

(H) *Maximum Dwelling Units:* 15

(I) *Maximum Bedrooms:* 30

(J) *Maximum Intensity:* 15,000 sq. ft.

(K) *Architectural Design Standards:*  
Reference the Project Booklet



**Planning Area 14 (PA-14) –  
Thoroughfare Commercial**

AREA: 15.55 acres

(A) *Purpose.* See project booklet

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 12	Offices, studios and related services
Unit 13	Eating places
Unit 14	Hotel, motel, and amusement facilities
Unit 15	Neighborhood shopping goods
Unit 16	Shopping goods
Unit 17	Trades and services
Unit 18	Gasoline, service stations, and drive-in restaurants
Unit 19	Commercial recreation, small sites
Unit 25	Professional offices
Unit 34	Liquor store

(2) *Conditional uses.*

Unit 1	City-wide uses by right
Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 21	Warehousing and wholesale
Unit 29	Dance halls
Unit 35	Outdoor music establishments
Unit 36	Wireless communication facilities

(C) *Density.* None

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

(E) *Setback requirements.*

Front	Side	Rear
40'	0' 25' when contiguous to residential district	20' 25' when contiguous to residential district

(F) *Height.* Maximum 7 stories.

(G) *Building area.* On any lot the area occupied by all buildings shall not exceed 70% of the total area of such lot.

(H) *Maximum Dwelling Units:* Not Applicable

(I) *Maximum Bedrooms:* Not Applicable

(J) *Maximum Intensity:* 200,000 sq. ft.

(J) *Architectural Design Standards:* Reference the Project Booklet

**Planning Area 15 (PA-15) – Parks and Trails**

AREA: 7.18 acres

(A) *Purpose.* See project booklet

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
--------	-------------------------

(C) *Density.* None (not applicable)

(D) *Bulk and area regulations.* None (not applicable)

(E) *Setback requirements.*

Front	Side	Rear
15'	10'	15'

(F) *Height.* No maximum height.

(G) *Building area.* No maximum building area.

(H) *Maximum Dwelling Units:* Not applicable

(I) *Maximum Bedrooms:* Not applicable

(J) *Architectural Design Standards:* Not applicable

# Paradigm

COMPANIES



## PLANNING DIVISION CORRESPONDENCE

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December 2, 2014

City of Fayetteville, Development Services  
Fayetteville, AR 72701

Tracy Hoskins, Chair  
Fayetteville Planning Commission  
City of Fayetteville, Arkansas  
113 W. Mountain Street  
Fayetteville, AR 72701

Re: Rezone Request – Park West PZD

Dear Planning Commission,

Please accept this letter as formal request to allow the rezoning of property located between Hwy 112 and Deane Solomon Road, known as the Park West PZD, from R-PZD 05-1796 Park West, to RSF-8, Residential Single-family, 8 units per acre and CS, Community Services.

The property consists of three large parcels owned by Simmons First Bank and Legacy National Bank. Approximately 26 acres of the original PZD was recently purchased by Fellowship Church.

Staff is initiating the rezoning request, because the Park West PZD was not initiated and consequently expired in 2011. The property is still zoned R-PZD, but all development rights expired with the PZD expiration in 2012. Rezoning the property will reestablished development rights to the property and allow current or future owners to develop the property.

Staff evaluated the approved Park West PZD, surrounding land uses and zoning, the Future Land Use Map (FLUM), City Plan 2030 goals, and the overall context of this area of the City to determine appropriate zoning classifications for the subject properties. However, staff's recommendations are not the only zoning designations that could be appropriate and it's possible that future property owners may request zoning changes.

In staff's opinion, rezoning the two parcels at the southeast corner of Hwy 112 and Deane Solomon Road to RSF-8 is compatible with surrounding residential developments, the FLUM designation as a Neighborhood Residential Area, and the Park West concept to develop single-family housing on thee approximately 33.40 acres. Further, the RSF-8 zoning district does not require small-lot development, but provides a developer the option to plat relatively small single-family lots, or large estate lots. Hopefully, there will be a variety of lot and home sizes.

The remainder of the Park West PZD contained approximately 106 acres. However, Fellowship Church recently purchased 26 acres, and there is a request to rezone another 20.54 acres (RZN 14-4875) that will likely be sold to another party. Staff is recommending that the remaining portion of property, approximately 50.46 acres be rezoned to CS, Community Services. In staff's opinion, the CS district will allow future development of a variety of uses that will transition between a variety of land uses and street classifications.

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There is an existing 8 inch sewer line that runs south to north across all of the properties in question. There is an existing 6 inch water main along Hwy 112 (north side) and an existing 6 inch and 36 inch line along Hwy 112 (east side).

The property is currently undeveloped, so any future development will increase traffic congestion in the area. The extension of W. Van Asche Drive is under construction and will provide a valuable route to regional shopping destinations to the east without the need to access I-49. There are also discussions to widen Hwy 112 north from I-49. Future connections to Dean Solomon Road will also provide for traffic distribution and reduce congestion at major intersections.

Development of the property will increase population density. Utility services providers have been made aware of the rezoning request.

Currently there are no development rights on this property, so a rezoning must occur to allow use of the property. While there are a number of zoning districts that could be appropriate for the property, it is staff's opinion that the RSF-8 and CS zoning districts provide future land owners a great deal of flexibility in development, while also providing compatibility with adjacent properties and consistency with land use goals.

Sincerely,

Jesse Fulcher, AICP  
Senior Planner  
City of Fayetteville  
479.575.8308



www.accessfayetteville.org

THE CITY OF FAYETTEVILLE, ARKANSAS  
DEVELOPMENT SERVICES DEPARTMENT  
125 West Mountain  
Fayetteville, AR 72701  
Phone (479) 444-3443

November 17, 2014

Simmons First Bank of NWA  
117 Boyer Avenue  
Lincoln, AR 72744-8915

**VIA: CERTIFIED MAIL**

Legacy National Bank  
P.O. Box 6490  
Springdale, Arkansas 72766-6490

*Re: Re-zoning of the Expired Park West Planned Zoning District Project*

Dear Property Owner:

The Assessor of Washington County, Arkansas lists you as the owner for the subject property that is zoned by the City of Fayetteville as a Planned Zoning District (PZD). This letter notifies you that the subject PZD approval has expired. In accordance with Ordinance No. 4820 for Park West PZD, the City has cause to revoke this PZD as development permits have not been obtained in accordance with the approved phased development schedule. Therefore, the City Development Services Department has initiated revocation of the expired PZD zoning on your property. As part of this action staff will recommend the City Council assign the property the zoning district of CS, Community Services. This proposal to revoke the PZD and rezone your property will be first heard at a public meeting of the Planning Commission on January 12, 2015 at 5:30 PM in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas 72701. You are welcome to speak at that meeting and/or provide written or verbal comment to City staff prior to the meeting.

Please contact my office at 479-444-3443 if you would like to discuss this proposal, or you may email me at [jfulcher@fayetteville-ar.gov](mailto:jfulcher@fayetteville-ar.gov).

Best Regards,

Jesse Fulcher  
Senior Planner

Cc: Legacy National Bank  
Cc: Simmons First Bank of NWA  
Attached: Zoning regulations for CS, Community Services

## Fulcher, Jesse

---

**From:** ronald young <RONDYOUNG@COX.NET>  
**Sent:** Monday, December 29, 2014 10:48 AM  
**To:** Fulcher, Jesse  
**Subject:** Park West PZD

To whom it may concern:

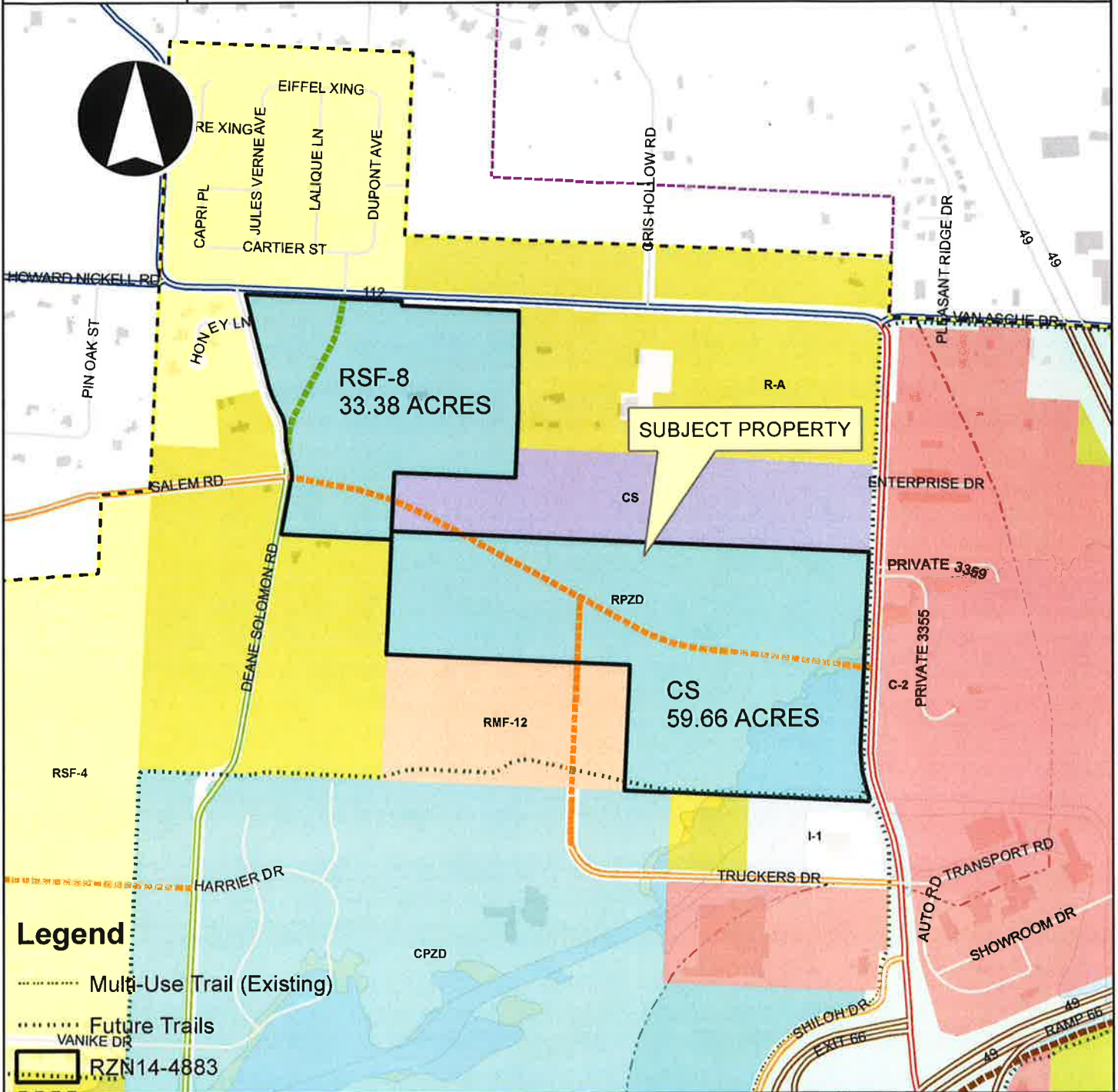
I live at 3481 N Deane Solomon Rd, Fayetteville across the street from the two parcels of the Park West PZD which are at the southeast corner of Hwy 112 and Deane Solomon RD that Staff is recommending be zoned for residential use. I support Staff's recommendation and respectfully encourage the Commission to adopt the recommendation. I also suggest that when those parcels are developed, because of high traffic counts on Deane Solomon and the dangerous intersection of Deane Solomon and Hwy 112, that Deane Solomon Rd be rerouted consistent with the Park West PZD.

Ronald D Young  
479-236-4717  
3481 N Deane Solomon RD  
Fayetteville, AR 72704

RZN14-4883

# PARKWEST

Close Up View



## Legend

- ..... Multi-Use Trail (Existing)
- ..... Future Trails
- ..... RZN14-4883

## Overview

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

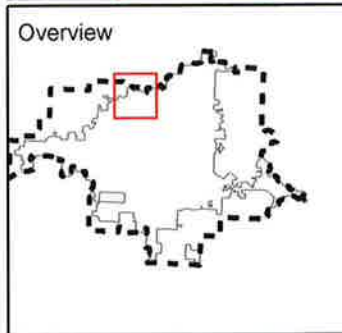
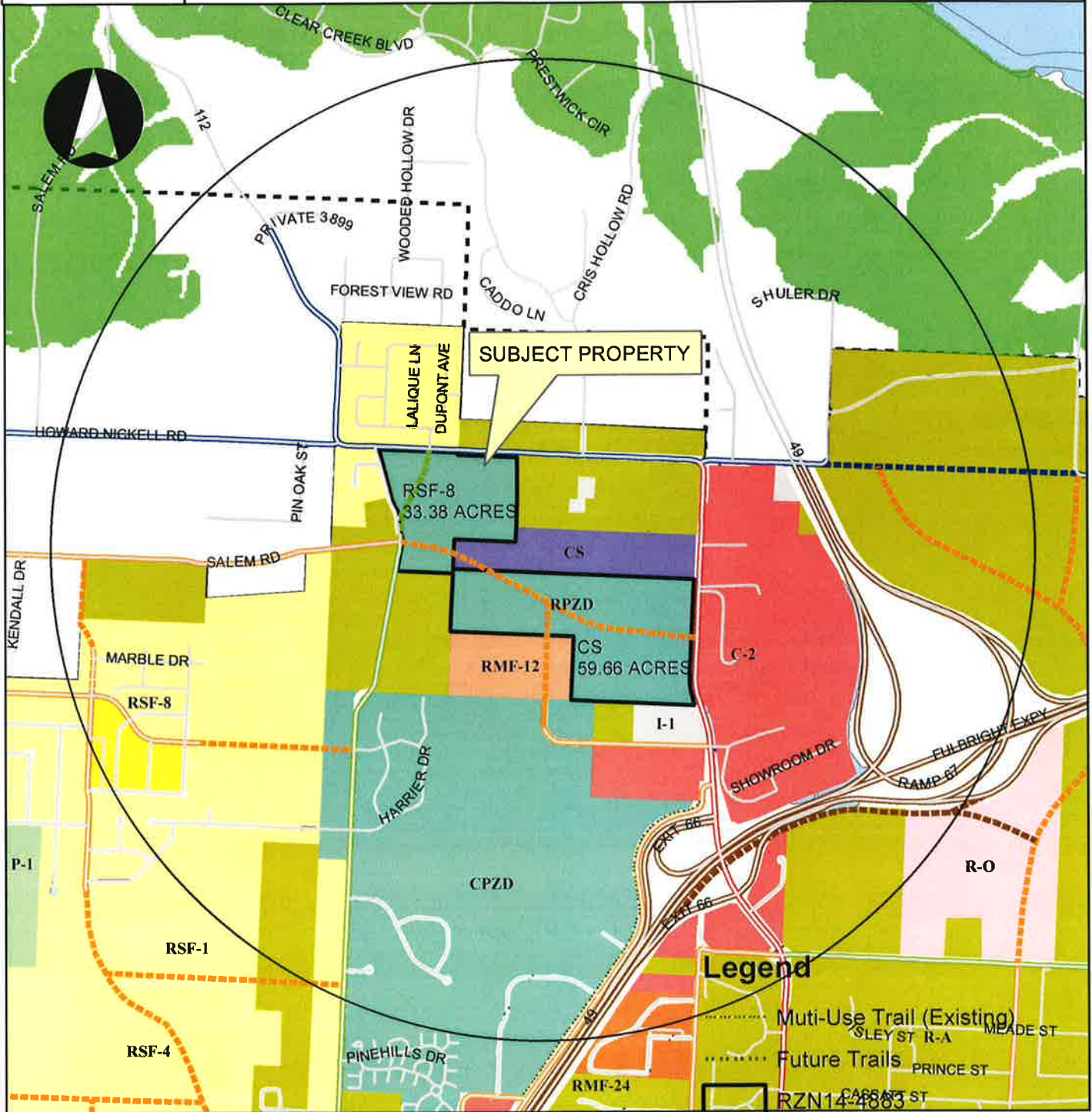




RZN14-4883

# PARK WEST

One Mile View



**Legend**

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

Subject Property

Boundary

0      0.25      0.5      1  
 Miles

RZN14-4883

# PARKWEST

Current Land Use

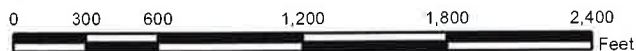


## Legend

- Multi-Use Trail (Existing)
- Future Trails

**Overview** RZN14-4883

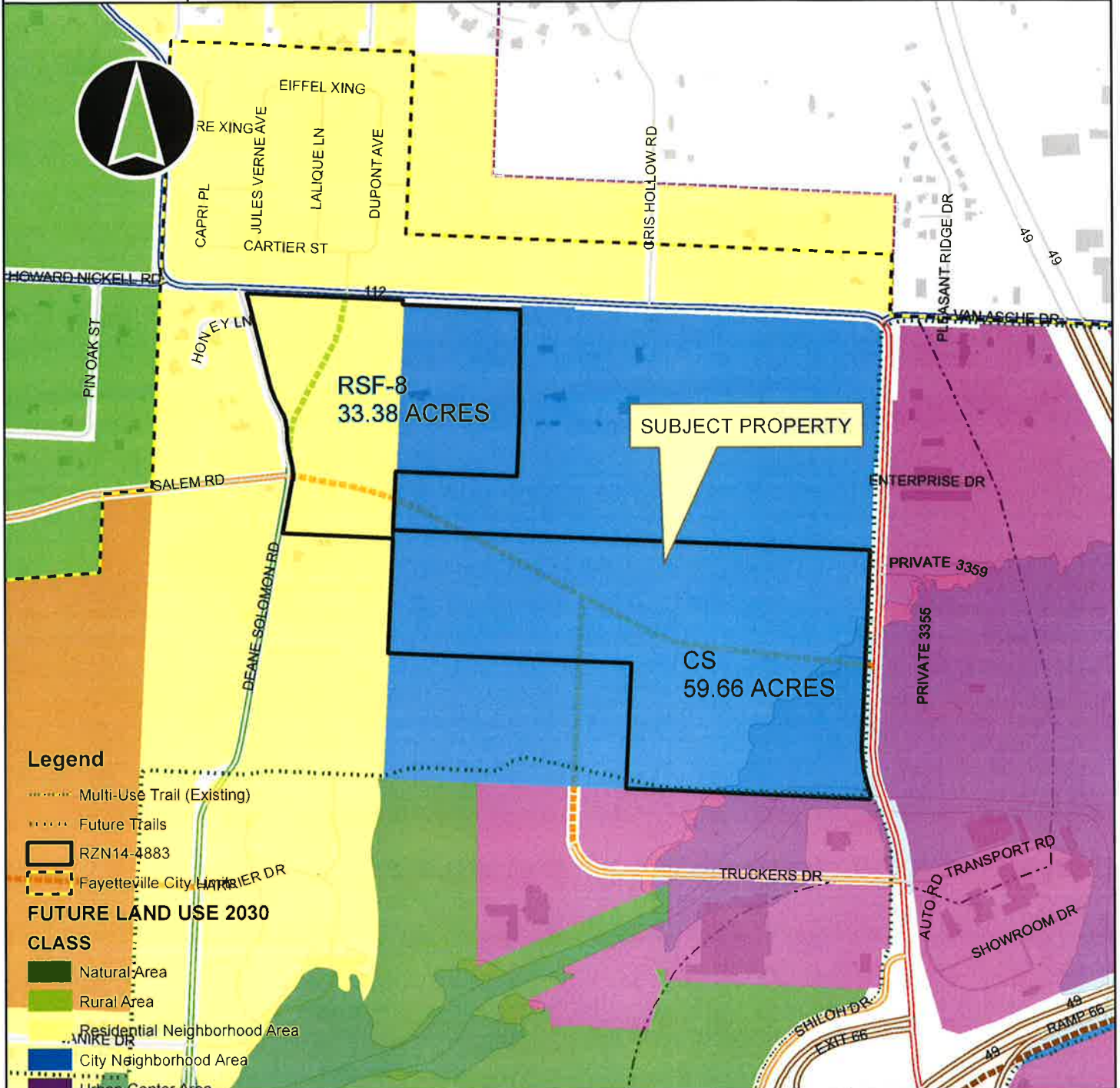
- Fayetteville City Limits
- Footprints 2010
- Hillside-Hilltop Overlay District
- Design Overlay District
- Planning Area



RZN14-4883

# PARKWEST

Future Land Use



### Legend

- Multi-Use Trail (Existing)
- Future Trails
- RZN14-4883
- Fayetteville City Limits

### FUTURE LAND USE 2030

#### CLASS

- Natural Area
- Rural Area
- Residential Neighborhood Area
- City Neighborhood Area
- Urban Center Area

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

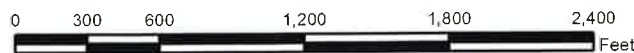
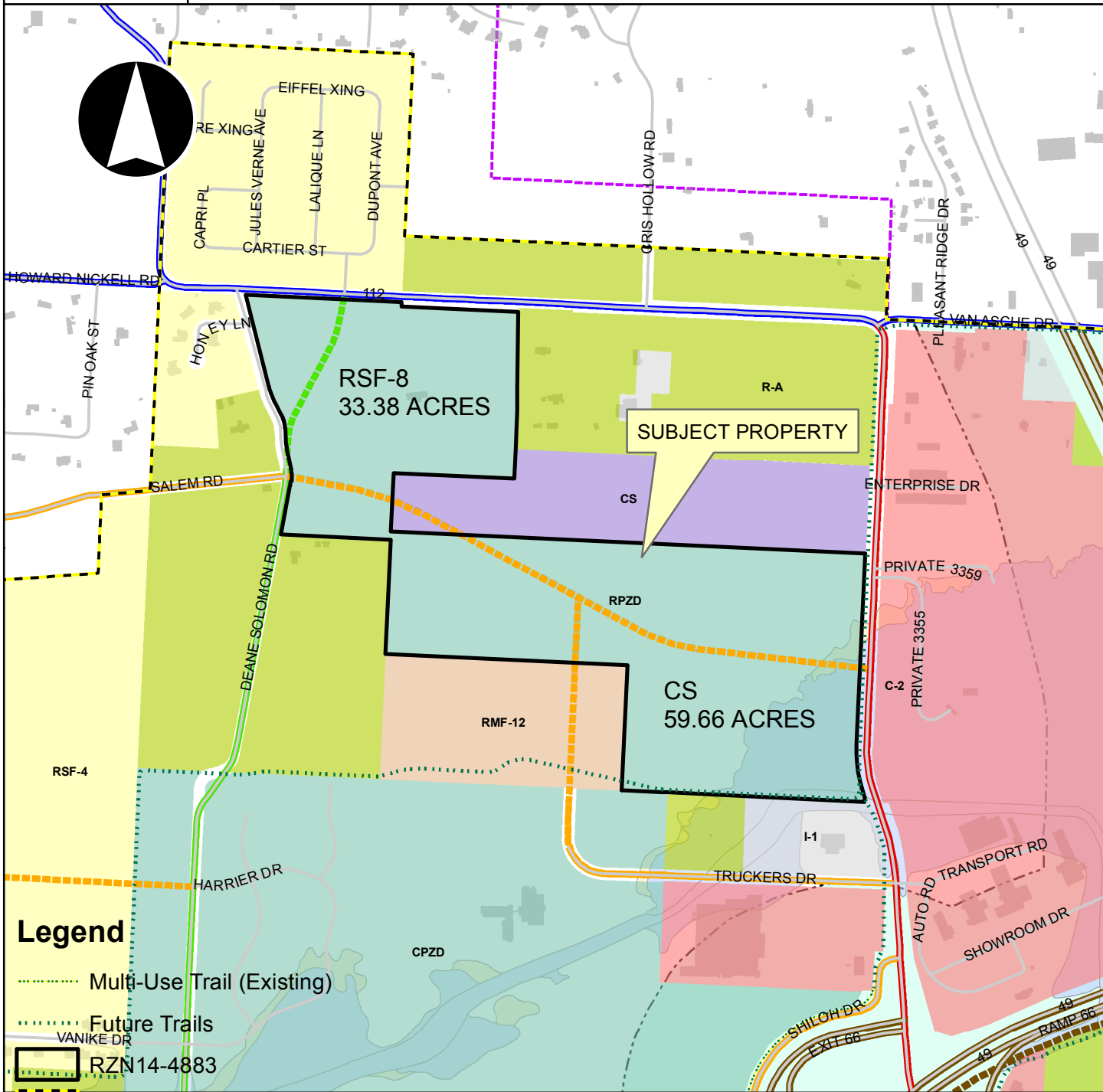
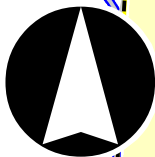


EXHIBIT 'A'

RZN14-4883

PARKWEST

Close Up View



Legend

- Multi-Use Trail (Existing)
- Future Trails
- RZN14-4883

Overview

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



## **EXHIBIT 'B'**

### **765-15832-000 (RSF-8)**

A part of the W  $\frac{1}{2}$ , of the SW  $\frac{1}{4}$  . of Section 28, Township 17 North, Range 30 West, Washington County, Arkansas, being more particularly described as follows:  
beginning at the intersection of the south right-of-way of Arkansas State Highway No. 112 and the East right-of-way of a gravel dirt road, said point lying South 85 degrees 39 minutes 30 seconds East 460.60 feet from the NW corner of said 80.00 acre tract, and running thence South 89 degrees 51 minutes 00 seconds East 858.70 feet with the South right-of-way line of Highway No. 112 to the East line of said 80.00 acre tract; thence South 00 degrees 07 minutes 00 seconds East with said East line 1,300.60 feet to a point North 00 degrees 07 minutes 00 seconds West 1,303.60 feet from the SE corner of said 80.00 acre tract; thence West 606.60 feet to the East right-of-way line of the previously mentioned gravel road; thence North 08 degrees 06 minutes 00 seconds East with said East line 321.00 feet; thence North 10 degrees 39 minutes 00 seconds West with said East line 284.30 feet; thence North 28 degrees 25 minutes 00 seconds West with said East line 166.10 feet; thence North 17 degrees 19 minutes 00 seconds West with said East line 586.00 feet to the point of beginning, containing 20.00 acres, more or less.

Now more accurately described by a plat of survey by Milholland Company dated May 10, 2004, designated as drawing No. E-688 as follows:

A part of the West Half (W  $\frac{1}{2}$  ) of the Southwest Quarter (SW  $\frac{1}{4}$  .) of Section Twenty-eight (28). Township Seventeen (17) North, Range Thirty (30) West, described as follows: commencing at the northwest corner of the SW  $\frac{1}{4}$  of said Section 28, Township 17 North, Range 30 West, thence South 87 degrees 14 minutes 29 seconds East 1320.14 feet to a point on the East line of the West Half (W  $\frac{1}{2}$  ), Southwest Quarter (SW  $\frac{1}{4}$  ) said Section, thence South 02 degrees 31 minutes 02 seconds West 34.99 feet along said East line to the southern right-of-way Arkansas No.112 and the point of beginning, thence continuing along said East line South 02 degrees 31 minutes 02 seconds West 1298.63 feet, thence North 87 degrees 16 minutes 08 seconds West 600.60 feet to the East right-of-way of Washington County Road No. 890, thence along said right-of-way North 10 degrees 49 minutes 52 seconds East 321.00 feet, thence with said right-of-way North 07 degrees 55 minutes 08 seconds West 284.30 feet, thence with said right-of-way North 25 degrees 41 minutes 08 seconds West 166.10 feet, thence with said right-of-way North 14 degrees 35 minutes 08 seconds West 576.59 feet to the Southern right-of-way of Arkansas Highway No. 112, thence along said right-of-way South 87 degrees 35 minutes 48 seconds East 853.75 feet to the point of beginning, all located in Fayetteville, Washington County, Arkansas, and containing 19.860 acres, more or less.

### **765-15930-003 (RSF-8)**

A part of the Northeast Quarter (NE  $\frac{1}{4}$  ) of the Southwest Quarter (SW  $\frac{1}{4}$  ) of Section Twenty eight (28), Township Seventeen (17) North, Range Thirty (30) West, being more particularly described as follows:

Commencing at the Northwest corner of said 40 acre tract, said point being in Arkansas Highway 112; thence South 01 degrees 21 minutes 02 seconds West along the West line of said 40 acre tract 60.40 feet to an existing iron on the South right-of-way line of said Highway for the true point of beginning; thence South 88 degrees 44 minutes 20 seconds East along said right of way 636.06 feet to an existing iron; thence leaving said right of way South 00 degrees 40 minutes 42 seconds East 565.86 feet to an existing iron; thence South 01 degrees 01 minutes 05 seconds West 179.25 feet to an existing iron at a fence corner; thence South 01 degrees 01 minute 05 seconds West 161.92 feet to a set  $\frac{1}{2}$ " iron rebar on the proposed north right of way line of an undeveloped street as shown on the master street plan for Fayetteville, Arkansas; thence North 88 degrees 33 minutes 19 seconds West along said proposed right of way line 658.07 feet to a set  $\frac{1}{2}$ " iron rebar on the West line of said 40 acre tract; thence North 01 degrees 21 minutes 02 seconds East 904.60 feet to the point of beginning, containing 13.52 acres, more or less.

# EXHIBIT 'B'

765-15830-000 (CS, Community Services)

TRACT 1 (REMAINING TRACT) SURVEY DESCRIPTION:

A PART OF THE EAST HALF (E ½) OF THE SOUTHWEST QUARTER (SW ¼) AND A PART OF THE WEST HALF (W ½) OF THE SOUTHEAST QUARTER (SE ¼), ALL IN SECTION TWENTY-EIGHT (28), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTY (30) WEST OF THE FIFTH PRINCIPAL MERIDIAN, WASHINGTON COUNTY ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER (NE ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF SAID SECTION 28 BEING A FOUND MAGNAIL IN ASPHALT ROADWAY; THENCE ALONG THE WEST LINE OF SAID NE 1/4, S02°34'52"W A DISTANCE OF 1283.11 FEET TO A FOUND IRON PIN WITH CAP "PLS 1439" AND THE POINT OF BEGINNING; THENCE S87°19'58"E A DISTANCE OF 2582.01 FEET TO THE WESTERN RIGHT OF WAY OF HIGHWAY 112 FOR U.S. HIGHWAY 112 BEING FIFTY-FIVE (55) FEET WEST OF CENTERLINE, BEING A FOUND IRON PIN WITH CAP "PLS 1439"; THENCE ALONG SAID WESTERN RIGHT OF WAY THE FOLLOWING EIGHT (8) CALLS, S02°43'18"W A DISTANCE OF 978.38 FEET TO A POINT; THENCE S02°02'26"W A DISTANCE OF 63.14 FEET TO A POINT; THENCE S00°11'50"W A DISTANCE OF 51.97 FEET TO A POINT; THENCE S03°04'07"E A DISTANCE OF 40.08 FEET TO A POINT; THENCE S07°04'04"E A DISTANCE OF 55.68 FEET TO A POINT; THENCE S11°50'44"E A DISTANCE OF 58.74 FEET TO A POINT; THENCE S15°34'53"E A DISTANCE OF 71.32 FEET TO A POINT; THENCE S18°13'53"E A DISTANCE OF 15.95 FEET TO A POINT; THENCE LEAVING SAID RIGHT OF WAY, S02°32'54"W A DISTANCE OF 26.08 FEET TO A FOUND ALUMINUM CAPPED IRON PIN AT THE SOUTHEAST CORNER OF THE SW 1/4 OF THE SE ¼ OF SAID SECTION 28; THENCE ALONG THE SOUTH LINE OF THE SW ¼ OF THE SE ¼, N87°08'52"W A DISTANCE OF 1322.12 FEET TO A FOUND IRON PIN WITH CAP "PLS 1439", BEING THE SOUTH QUARTER CORNER OF SAID SECTION 28; THENCE LEAVING SAID SOUTH LINE, N02°32'22"E A DISTANCE OF 680.63 FEET TO A SET IRON PIN WITH CAP "PLS 1439"; THENCE N87°26'22"W A DISTANCE OF 1315.59 FEET TO THE WEST BOUNDARY OF THE EAST HALF (E ½) OF THE SW ¼ BEING A SET IRON PIN WITH CAP "PLS 1439"; THENCE ALONG SAID WEST LINE, N02°34'52"E A DISTANCE OF 671.33 FEET TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINING 59.66 ACRES (2,598,809 SQUARE FEET), MORE OR LESS.