

**City of Fayetteville Staff Review Form**

**2015-0030**

**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 14-4916: Rezone (956 RAY AVENUE/HODOUS, 565): Submitted by KIM HODOUS for property located at 956 RAY AVENUE. The property is zoned RMF-24, RESIDENTIAL MULTI FAMILY, 24 UNITS PER ACRE and contains approximately 0.32 acres. The request is to rezone the property to NS, NEIGHBORHOOD SERVICES.

**Budget Impact:**

Account Number	Fund
Project Number	Project Title
<b>Budgeted Item?</b> <u>NA</u>	<b>Current Budget</b> \$                    -
	<b>Funds Obligated</b> \$                    -
	<b>Current Balance</b> <span style="border: 1px solid black; padding: 2px;">\$                    -</span>
<b>Does item have a cost?</b> <u>No</u>	<b>Item Cost</b>
<b>Budget Adjustment Attached?</b> <u>NA</u>	<b>Budget Adjustment</b>
	<b>Remaining Budget</b> <span style="border: 1px solid black; padding: 2px;">\$                    -</span>

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 14-4916: Rezone (956 RAY AVENUE/HODOUS, 565):** Submitted by KIM HODOUS for property located at 956 RAY AVENUE. The property is zoned RMF-24, RESIDENTIAL MULTI FAMILY, 24 UNITS PER ACRE and contains approximately 0.32 acres. The request is to rezone the property to NS, NEIGHBORHOOD SERVICES

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#### RECOMMENDATION:

The Planning Commission and City Planning Staff recommend approval of an ordinance to rezone the property to NS, Neighborhood Services.

#### BACKGROUND:

The subject property is located one lot south of the southeast corner of Huntsville Road and Ray Avenue. The property is developed with an approximately 2,000 square foot office building that was constructed in 1970, according to County records.

The property is currently zoned RMF-24, Residential Multi-family. However, according to the current property owner the building has always been used for office/commercial purposes, and the County Assessor lists the primary occupancy as "office building – commercial." In researching City records, there is evidence that this property was previously zoned C-1, Neighborhood Commercial. Attached are several City records dated from the 1980's and 1990's that reference the subject property as C-1, Commercial.

The City of Fayetteville adopted a digital zoning map in 2003 after having used hand-drawn paper maps since the 1970's.

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

*Compatibility:* The Future Land Use Map designates the property as a Residential Neighborhood Area. These areas are primarily residential, but low-intensity, non-residential uses can be appropriate. The subject property is one lot south of Huntsville Road, a 5-lane state highway, and bordered on the north and west by property zoned C-1, Neighborhood Commercial. Rezoning the property to NS, Neighborhood Services, which limits non-residential buildings to a maximum size of 3,000 square feet, provides an appropriate transition between the high volume roadway and commercial properties to the north and west and the residential properties to the south. Rezoning the property to Neighborhood Services is compatible with surrounding land uses and zoning districts.

**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 14-4916: Rezone (956 RAY AVENUE/HODOUS, 565):** Submitted by KIM HODOUS for property located at 956 RAY AVENUE. The property is zoned RMF-24, RESIDENTIAL MULTI FAMILY, 24 UNITS PER ACRE and contains approximately 0.32 acres. The request is to rezone the property to NS, NEIGHBORHOOD SERVICES.

**RECOMMENDATION:**

Staff recommends forwarding **RZN 14-4916** with a recommendation for approval.

**BACKGROUND:**

The subject property is located one lot south of the southeast corner of Huntsville Road and Ray Avenue. The property is developed with an approximately 2,000 square foot office building that was constructed in 1970, according to County records.

The property is currently zoned RMF-24, Residential Multi-family. However, according to the current property owner the building has always been used for office/commercial purposes, and the County Assessor lists the primary occupancy as “office building – commercial.” In researching City records, there is evidence that this property was previously zoned C-1, Neighborhood Commercial. Attached are several City records dated from the 1980’s and 1990’s that reference the subject property as C-1, Commercial.

The City of Fayetteville adopted a digital zoning map in 2003 after having used hand-drawn paper maps since the 1970’s.

The surrounding zoning and land uses are depicted in *Table 1*.

**Table 1 - Surrounding Zoning and Land Use**

Direction from Site	Land Use	Zoning
North	Undeveloped	C-1, Neighborhood Commercial
South	Single-family	RSF-4, Residential Single-family
East	Undeveloped	RMF-24, Residential Multi-family
West	Undeveloped	C-1, Neighborhood Commercial

*Request:* The request is to rezone the property to NS, Neighborhood Services. The property has long been used for nonresidential purposes, but the current zoning of RMF-24 makes the use of the building an existing non-conforming use. Additionally, any change in commercial use requires Planning Commission approval of a conditional use permit.

*Public Comment:* Staff has not received any public comment.

#### **INFRASTRUCTURE:**

**Streets:** The site has access to Ray Avenue (Local Street), which is an unimproved two-lane street. Improvements to Ray Avenue will be determined at the time of development.

**Water:** Public water is accessible to the site. There is an existing 8-inch water main along Ray Avenue.

**Sewer:** Sanitary sewer is available to the site. There is an existing 6-inch along Ray Avenue.

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

**Fire:** This development will be protected by Engine 3 located at 1102 S. Happy Hollow Road. It is ¼ mile from the station with an anticipated response time of 1 minute to the beginning of the development. The Fayetteville Fire Department does not feel this development will affect our calls for service or our response times.

**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**. 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.*

#### **DISCUSSION:**

##### **FINDINGS OF THE STAFF**

**Recommendation:** Staff recommends forwarding **RZN 14-4916** with a recommendation for approval.

<b>PLANNING COMMISSION ACTION:</b>	Required	<u>YES</u>
<b>Date:</b> <u>January 12, 2015</u>	<input type="checkbox"/> Tabled	<input checked="" type="checkbox"/> Forwarded <input type="checkbox"/> Denied
<b>Motion:</b> <u>Chesser</u>	<b>Second:</b> <u>Honchell</u>	<b>Vote:</b> 9-0-0
<b>CITY COUNCIL ACTION:</b>	Required	<u>YES</u>
<b>Date:</b> <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:** The Future Land Use Map designates the property as a Residential Neighborhood Area. These areas are primarily residential, but low-intensity, non-residential uses can be appropriate. The subject property is one lot south of Huntsville Road, a 5-lane state highway, and bordered on the north and west by property zoned C-1, Neighborhood Commercial. Rezoning the property to NS, Neighborhood Services, which limits non-residential buildings to a maximum size of 3,000 square feet, provides an appropriate transition between the high volume roadway and commercial properties to the north and west and the residential properties to the south. Rezoning the property to Neighborhood Services is consistent with land use planning objectives and zoning plans.

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. According to the property owner, the property has been used for non-residential uses since it was constructed in 1970. Staff has found documentation that proves that the building has in fact been used several times for commercial purposes, since at least the 1980's. Further, it appears that the property was zoned C-1, Neighborhood Commercial until at least 1994 and potentially until 2003 when the official zoning map was re-adopted. Staff has found no evidence of the property being rezoned from commercial.

The current residential zoning doesn't permit commercial uses by right. Currently, the commercial use of the building is nonconforming and the owner could lose this "grandfathered" use if it is determined there has been an "abandonment of use" for more than six consecutive months. Further, any change in commercial use requires Planning Commission approval of a conditional use permit. This constrains the use of the building.

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

**Finding:** The property has been used for a variety of non-residential uses for over 40 years and it doesn't appear that this has increased traffic danger or congestion to any noticeable degree. Rezoning the property to Neighborhood Services will allow a greater variety of non-residential uses, some of which could generate more traffic. However, the square footage limitation required by the Neighborhood Services district will prevent the property from being developed with a large commercial structure, which could appreciably increase traffic and congestion.

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 Neighborhood Services should not create an undesirable increase on public services. The property has been used historically for non-residential uses. 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 161.14 & 161.16
- Fire response letter
- Request letter
- Property Background
- One Mile Map
- Close Up Map
- Current Land Use Map
- Future Land Use Map

TITLE XV UNIFIED DEVELOPMENT CODE

**161.14 District RMF-24, Residential Multi-Family – Twenty-Four Units Per Acre**

(A) *Purpose.* The RMF-24 Multi-family Residential District is designed to permit and encourage the developing of a variety of dwelling types in suitable environments in a variety of densities.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three-family dwellings
Unit 26	Multi-family dwellings
Unit 44	Cottage Housing Development

(2) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 11	Manufactured home park
Unit 12	Limited business
Unit 25	Professional offices
Unit 24	Home occupations
Unit 36	Wireless communications facilities

(C) *Density.* -

Units per acre	24 or less
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(D) *Bulk and area regulations.*

(1) *Lot width minimum.*

Manufactured home park	100 ft.
Lot within a Manufactured home park	50 ft.
Single-family	60 ft.
Two-family	60 ft.
Three or more	90 ft.
Professional offices	100 ft.

(2) *Lot area minimum.*

Manufactured home park	3 acres
Lot within a mobile home park	4,200 sq. ft.
Townhouses: Development	10,000 sq. ft.
Individual lot	2,500 sq. ft.
Single-family	6,000 sq. ft.

Two-family	7,000 sq. ft.
Three or more	9,000 sq. ft.
Fraternity or Sorority	2 acres
Professional offices	1 acre

(3) *Land area per dwelling unit.*

Manufactured home	3,000 sq. ft.
Apartments: No bedroom	1,700 sq. ft.
One bedroom	1,700 sq. ft.
Two bedroom	2,000 sq. ft.
Fraternity or Sorority	1,000 sq. ft. per resident

(E) *Setback requirements.*

Front	Side	Rear
A build-to zone that is located between the front property line and a line 25 feet from the front property line.	8 ft.	25 ft.

**Cross reference(s)**--Variance, Ch. 156.

(F) *Building height regulations.*

Building Height Maximum	30/45/60ft.*
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\*A building or a portion of a building that is located between 0 and 10 feet from the front property line or any master street plan right-of-way line shall have a maximum height of 30 feet, between 10-20 feet from the master street plan right-of-way a maximum height of 45 feet and buildings or portions of the building set back greater than 20 feet from the master street plan right-of-way shall have a maximum height of 60 feet.

Any building which exceeds the height of 20 feet shall be set back from any side boundary line of an adjacent single family district, an additional distance of one foot for each foot of height in excess of 20 feet.

(G) *Building area.* None.

(H) *Minimum buildable street frontage.* 50% of the lot width.



TITLE XV UNIFIED DEVELOPMENT CODE

**161.16 Neighborhood Services**

(A) *Purpose.* The Neighborhood Services district is designed to serve as a mixed use area of low intensity. Neighborhood Services promotes a walkable, pedestrian-oriented neighborhood development form with sustainable and complementary neighborhood businesses that are compatible in scale, aesthetics, and use with surrounding land uses. For the purpose of Chapter 96: Noise Control, the Neighborhood Services district is a residential zone.

(B) *Uses*

(1) *Permitted uses*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three-family dwellings
Unit 12	Limited Business
Unit 24	Home occupations
Unit 41	Accessory dwelling units
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
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government Facilities
Unit 13	Eating places
Unit 15	Neighborhood shopping goods
Unit 19	Commercial recreation, small sites
Unit 25	Offices, studios and related services
Unit 26	Multi-family dwellings
Unit 36	Wireless communication facilities*
Unit 40	Sidewalk cafes

(C) *Density.*

Units per acre	10 or less
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(D) *Bulk and Area*

(1) *Lot width minimum*

Single-family	35 feet
Two-family	70 feet
Three or more	90 feet
All other uses	None

(2) *Lot area minimum.*

Single-family	4,000 sq. ft.
Two-family or more	3,000 sq. ft. of lot area per dwelling unit
All other permitted and conditional uses	None

(E) *Setback regulations*

Front:	A build-to zone that is located between 10 and 25 feet from the front property line.
Side	5 feet
Rear	15 feet

(F) *Building height regulations.*

Building Height Maximum	45 ft.
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(G) *Building area.* On any lot, the area occupied by all buildings shall not exceed 60% of the total area of the lot.

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

## Written Description of Request for Re-Zoning:

- A. The property is currently owned by RASA, LLC. The sole trustees are Robert and Kimberly Hodous, 1675 Arthurs Ct, Fayetteville, AR 72701. The property has been for sale in the past and will be put back on the market when re-zoning is complete.
- B. We are requesting zoning as it was purchased as a commercial property and has a history of being a commercial space prior to our purchase of it.
- C. There will be no changes to surrounding properties in terms of land use, traffic, appearance and signage once re-zoning is complete.
- D. There currently is a 6" sewer line and 8" water line.
- E. The proposed zoning is consistent with the current use of the property. Since it was built in 1970 it has been used in a multitude of commercial instances – from a medical office to the Head Start office to the corporate headquarters for SUDS carwash.
- F. The proposed zoning is justified given the history of the building. Right now it is restricted to office use only as that is what is grandfathered in.
- G. There will be no change in traffic or congestion with the proposed zoning.
- H. The change in zoning will in no way alter the population density and in no way increase the load on public services.
- I. The building is a commercial building so it's existing zoning of RMF 24 to be used as a multi-family residential unit is completely impractical.

Don Hunnicutt stated that General Bruce Kendall of the County Planning Board had no problem with this subdivision as long as easements as requested are dedicated.

Hunnicutt moved to approve the preliminary plat for Cato Springs Estates subject to Plat Review Committee comments. Newton Hailey seconded.

The motion to approve passed (8-0).

The sixth item of business was the public hearing on Rezoning Petition R80-32, The Gardener Company, Inc. to rezone property located South of Highway 16 East, East of Ray Avenue, and North of Lee Street from C-1, Neighborhood Commercial District, to C-2, Thoroughfare Commercial District. Tabled at the January 12, 1981 Planning Commission meeting at the request of the petitioner.

REZONING PETITION NO. R80-32  
GARDENER COMPANY, INC.  
WATSON ADDITION

There was no one present to represent.

The Chairman asked for a report from the Planning Consultant, Larry Wood.

Mr. Wood stated that he would like the Planning Commission to consider a change to C-2 for three reasons:

1. The property is already zoned C-1 District, and the additional uses allowed in C-2 District would not substantially change the character of this area.
2. A building already exists on the property suitable for the use intended.
3. There remains sufficient land East of this location to establish a transition pattern at some future date.

Wood said that originally, the request to rezone was submitted so that a veterinary hospital could be located on the tract which is not allowed in the present C-1 zoning.

There being no one present in favor of the request, the Chairman entertained comments from the audience in opposition to the rezoning.

Raymond Logue, 1967 Huntsville Road addressed the Commission. He stated he is in opposition to the request because of the uses that the property could be put to if it were C-2, he stated a night club or beer joint could be placed on the property, and he did not want either next door to him.

He stated that the present C-1 zoning had been implicated without notification of property owners around it. He further stated that the neighbors all around are very much against the proposed rezoning. He felt that C-1 was a sufficient intensity.

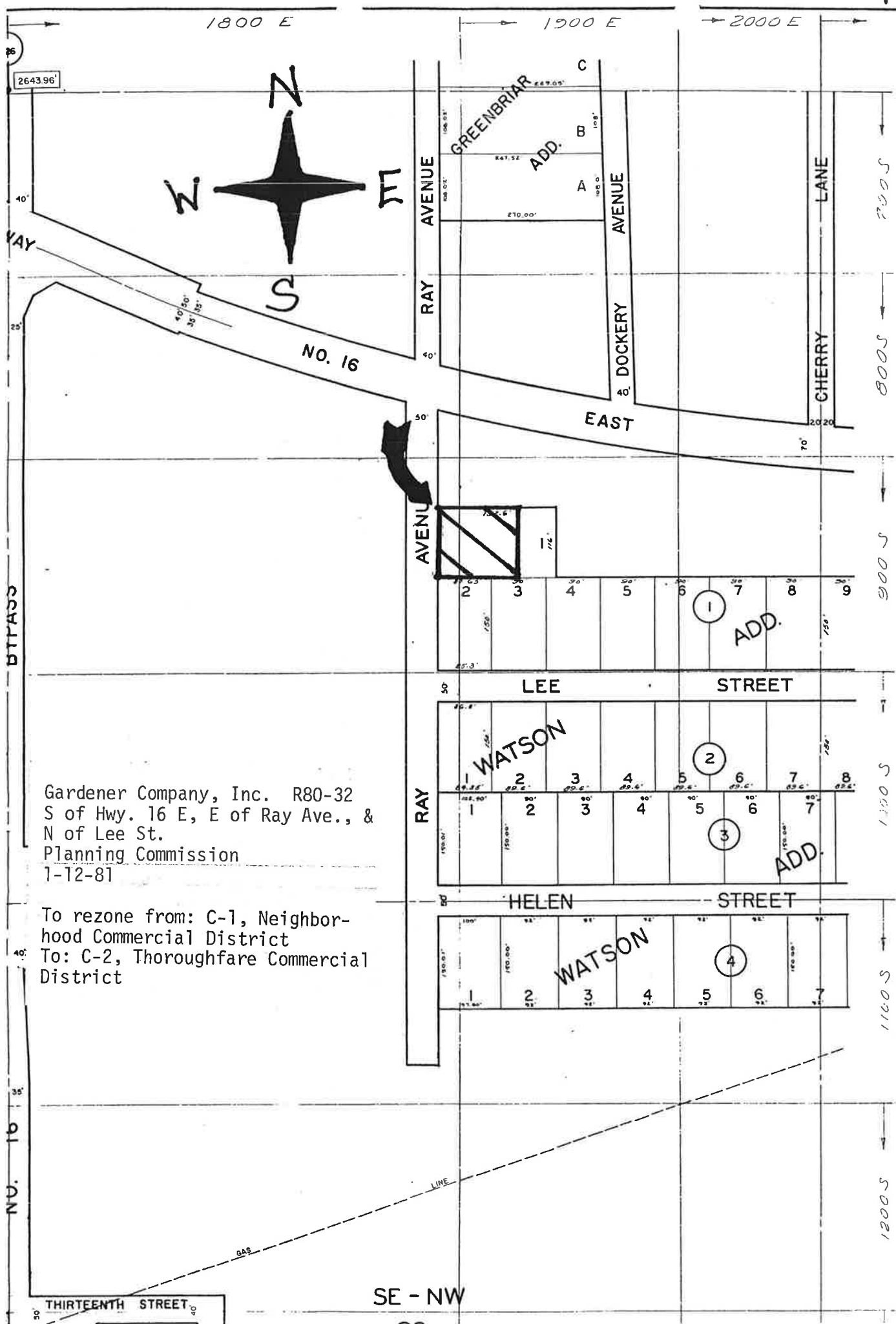
Logue presented the Chairman with a letter from the Ridgeview Baptist Church, which is directly across the street from this tract, stating opposition to the proposed rezoning by the Pastor.

Ernest Jacks stated that notification could have been in the paper, rather than individually.

Newton Hailey asked the Planning Consultant why he was recommending C-2, when the future land use is projected as R-0. Wood replied that the R-0 does not apply since the property is already C-1. Jacks asked when the property was zoned C-1. Bobbie Jones replied it was zoned C-1 prior to 1970.

1981

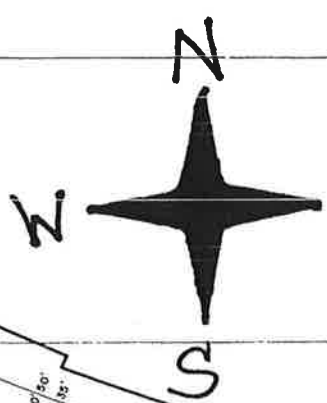
DATE APRIL 24, 1957  
REVISED:  
JANUARY 22, 1963  
JULY 27, 1965  
12-6-74  
DEC 5, 1975  
FEB. 11, 1976



1800 E

1900 E

2000 E



2643.96'

44'

25'

BYPASS

48'

35'

NO. 16

30'

RAY AVENUE

RAY

LINE

GREENBRIAR ADD.

DOCKERY AVENUE

EAST

LEE STREET

HELEN STREET

CHERRY LANE

700 S

800 S

900 S

1000 S

1100 S

1200 S

Gardner Company, Inc. R80-32  
S of Hwy. 16 E, E of Ray Ave., &  
N of Lee St.  
Planning Commission  
1-12-81

To rezone from: C-1, Neighbor-  
hood Commercial District  
To: C-2, Thoroughfare Commercial  
District

SE - NW

THIRTEENTH STREET

1988



**BUILDING PERMIT**  
CITY OF FAYETTEVILLE  
FAYETTEVILLE, ARKANSAS

**B 19473**

CERT. OF OCCUPANCY NO. N/A

DATE January 28, 1988

540

THIS IS TO CERTIFY THAT A BUILDING PERMIT IS ISSUED FOR ERECTING  FOR REMODELING  TO DEMOLISH

A. COMMERCIAL DAMAGE REPAIR

TO BE LOCATED ON LOT \_\_\_\_\_ BLOCK \_\_\_\_\_ OF THE \_\_\_\_\_ ADDITION  
OR DESCRIBED AS BEING A PART OF \_\_\_\_\_

LOCATED 956 South Ray IN A C-2 Throughfare ZONE.

PLANS AND SPECIFICATIONS HAVE BEEN SUBMITTED. BUILDING OR REMODELING COST \$ 12,050

REMARKS repairing fire damage to Dr. Abernathy's office DIMENSIONS 62 x 32  
BUILDING FLOOR AREA 1984 SQ. FT.  
ALL WORK AND ALL SET-BACKS WILL CONFORM TO THE ORDINANCES OF THE CITY OF FAYETTEVILLE NOW IN EFFECT.

**NOTICE**

SEPARATE PERMITS ARE REQUIRED FOR ELECTRICAL, PLUMBING, HEATING OR AIR CONDITIONING. THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 6 MONTHS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 6 MONTHS AT ANY TIME AFTER WORK IS COMMENCED. THIS PERMIT IS VALID FOR 9 MONTHS.

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT, THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.

**FEE PAID**

PERMIT	\$ <u>47.00</u>
CERT. OF OCCUPANCY	\$ _____
PLAN CK FEE	\$ _____
CURB CUT	\$ _____
DRIVEWAY	\$ _____
SIDEWALK	\$ _____
MICROFILM	\$ _____
TOTAL	\$ <u>47.00</u>

OWNER Gardner & CO  
APPLICANT [Signature]

THIS PERMIT IS IN ADD. TO PERMIT \_\_\_\_\_ CASHIER NO. L-29189  
DATE ISSUED \_\_\_\_\_ DATE 1-28-88

BUILDING OFFICIAL [Signature]

BUILDING OFFICIAL'S SIGNATURE CERTIFIES THAT THE APPLICATION HAS BEEN EXAMINED AND PERMIT HAS BEEN ISSUED.

STREET FILE

1991



**SIGN PERMIT**  
CITY OF FAYETTEVILLE  
FAYETTEVILLE, ARKANSAS

S- No 4848  
DATE 30 July 1991

LOCATED 956 Ray Avenue

THIS IS TO CERTIFY THAT A SIGN PERMIT IS ISSUED FOR  ERECTING  REMODELING  REPAIRING A  
 ON SITE SIGN  WALL SIGN  FREE STANDING SIGN  PROJECTING SIGN  
 OFF SITE SIGN

TO BE LOCATED ON LOT \_\_\_\_\_ BLOCK \_\_\_\_\_ OF THE \_\_\_\_\_ ADDITION  
OR DESCRIBED AS BEING A PART OF Sect. 23, T16N, R30W

PROPERTY IS ZONED AS C-1 Neighborhood Commercial DISTRICT  
AREA OF PROPOSED SIGN (ONE FACE ONLY IF DOUBLE FACED) 24 SQUARE FEET  
ESTIMATE COST OF ERECTION PLUS COST OF SIGN \$ \_\_\_\_\_

REMARKS Washington County Head Start

ALL WORK AND ALL SET-BACKS WILL CONFORM TO THE ORDINANCES OF THE CITY OF FAYETTEVILLE NOW IN EFFECT.

THIS PERMIT EXPIRES SIX MONTHS FROM DATE  
OF ISSUE IF CONSTRUCTION IS NOT COMPLETED

SEE APPLICATION ON FILE FOR SETBACKS ETC.  
PLOT PLAN

**PERMIT FEE**

BASE RATE ..... \$10.00  
PLUS  
\$.10 PER SQUARE  
FOOT OF SIGN FACE .....  
TOTAL FEE DUES \$ 12.40

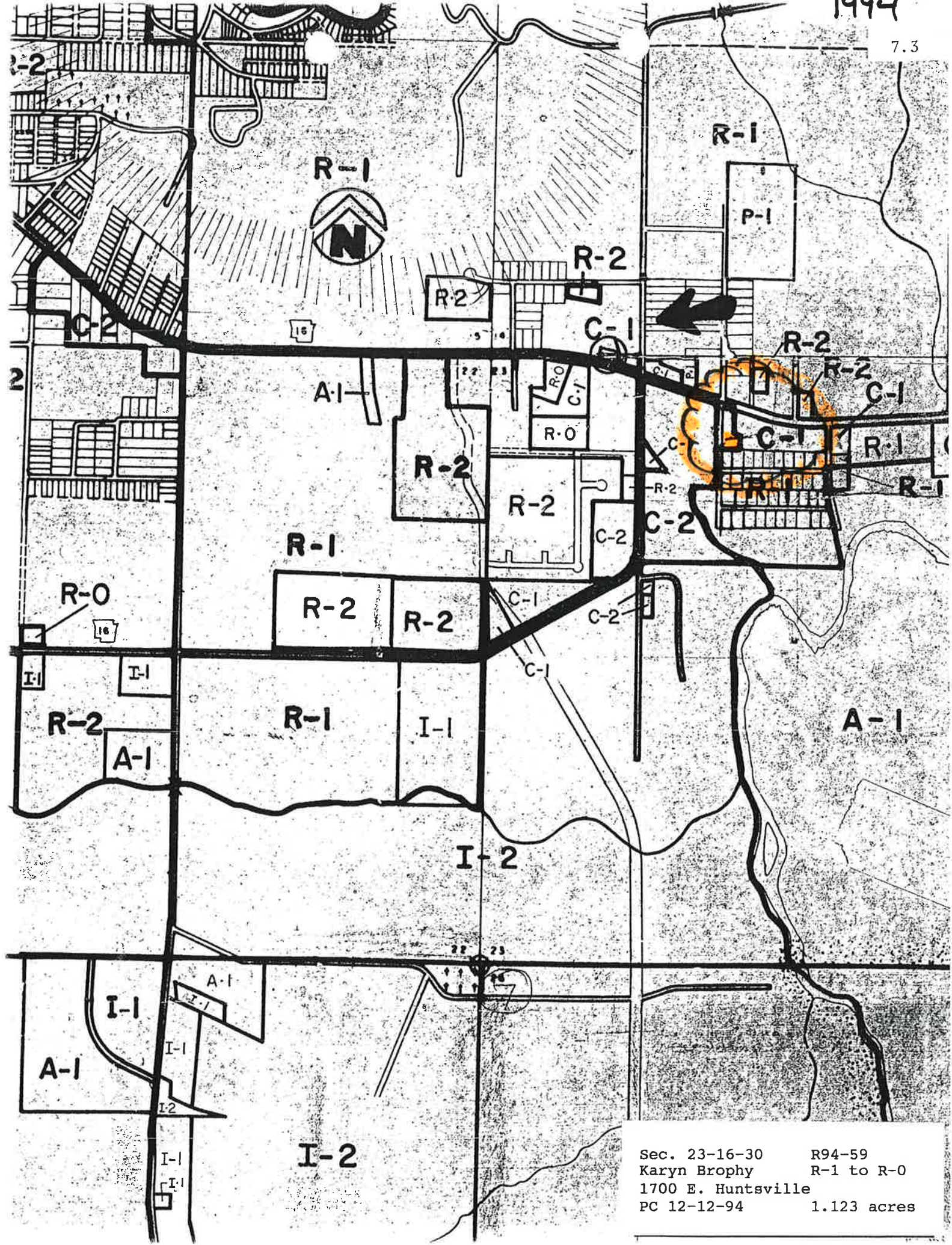
CASHIER NO. 16395  
DATE 30 July 1991

Sign Permit Revocable - All rights and privileges acquired under the provisions of this ordinance or any amendment thereto are mere licenses revocable at any time by the Fayetteville City Board of Directors and all such permits shall contain this provision.

OWNER OF FACILITY

SIGNED Richard Wilson BUILDING OFFICIAL Richard Wilson 17 AUGUST 1991  
BUILDING OFFICIAL'S SIGNATURE CERTIFIES THAT THE APPLICATION HAS BEEN EXAMINED AND PERMIT HAS BEEN ISSUED.

25 x 10



Sec. 23-16-30 R94-59  
 Karyn Brophy R-1 to R-0  
 1700 E. Huntsville  
 PC 12-12-94 1.123 acres

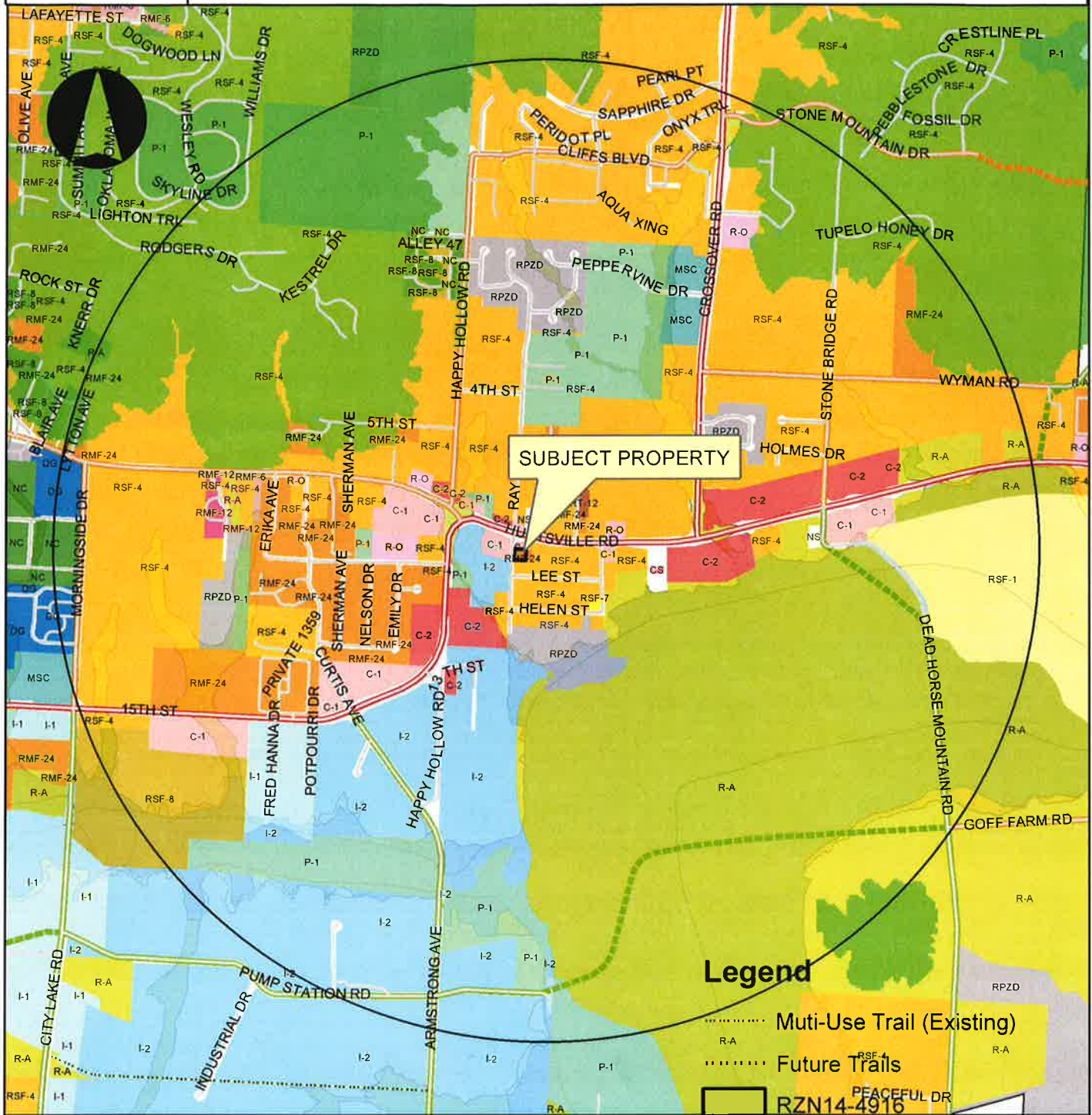




RZN14-4916

# HODOUS

One Mile View



SUBJECT PROPERTY

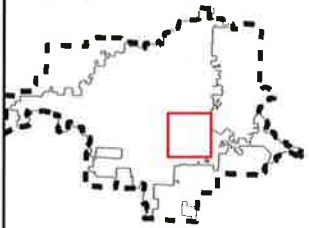
## Legend

..... Multi-Use Trail (Existing)

..... Future Trails

..... RZN14-4916

Overview



Legend

Subject Property

Boundary

Hillside-Hilltop Overlay District

Design Overlay District

Planning Area

Fayetteville

0 0.25 0.5

1

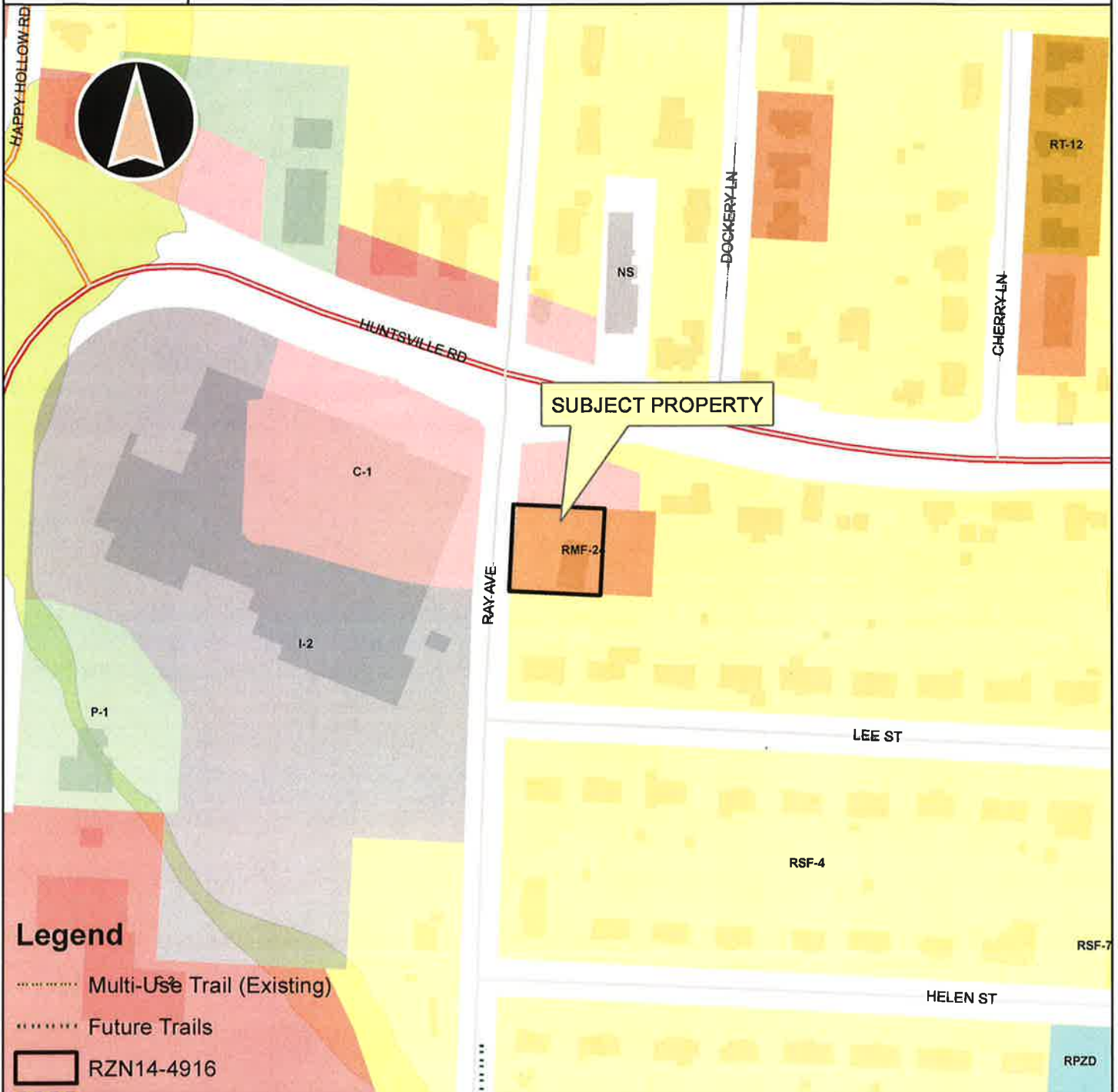
Miles



RZN14-4916

# HODOUS

Close Up View

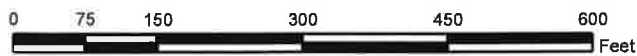


## Legend

- Multi-Use Trail (Existing)
- Future Trails
- RZN14-4916

## Overview

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



RZN14-4916

# HODOUS

Current Land Use



Overview Fayetteville City Limits

Footprints 2010

Hillside-Hilltop Overlay District

Design Overlay District

Design Overlay District

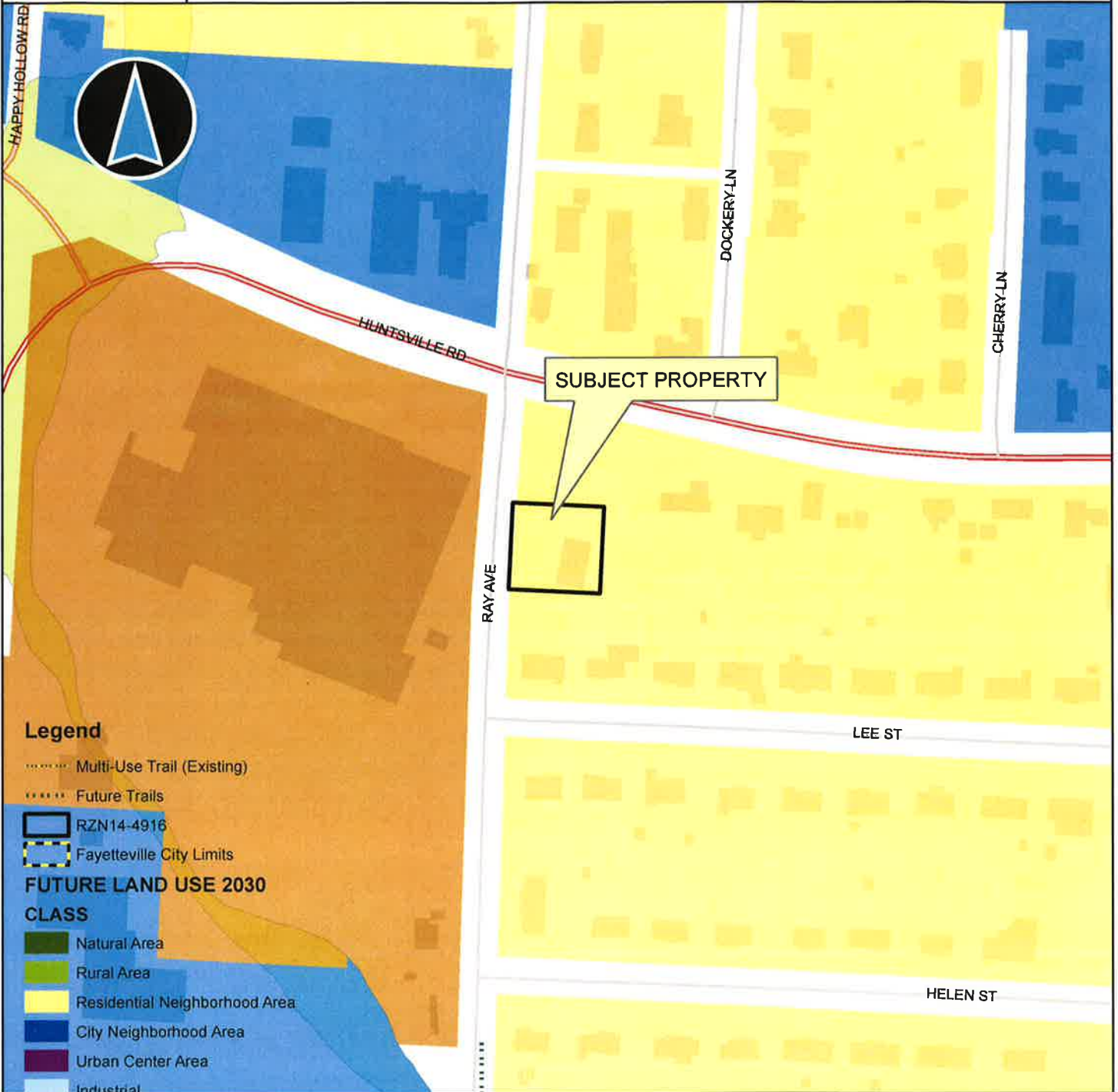
Planning Area



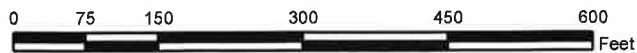
RZN14-4916

# HODOUS

Future Land Use



- [Red Box] Complete Neighborhood Plan
- [Gold Box] Civic and Private Open Space/Parks
- [Brown Box] Civic Institutional
- [Orange Box] Non-Municipal Government
- [Dashed Line] ROW
- [Dashed Line] Design Overlay District
- [Light Green Box] Design Overlay District
- [Purple Dashed Line] Planning Area



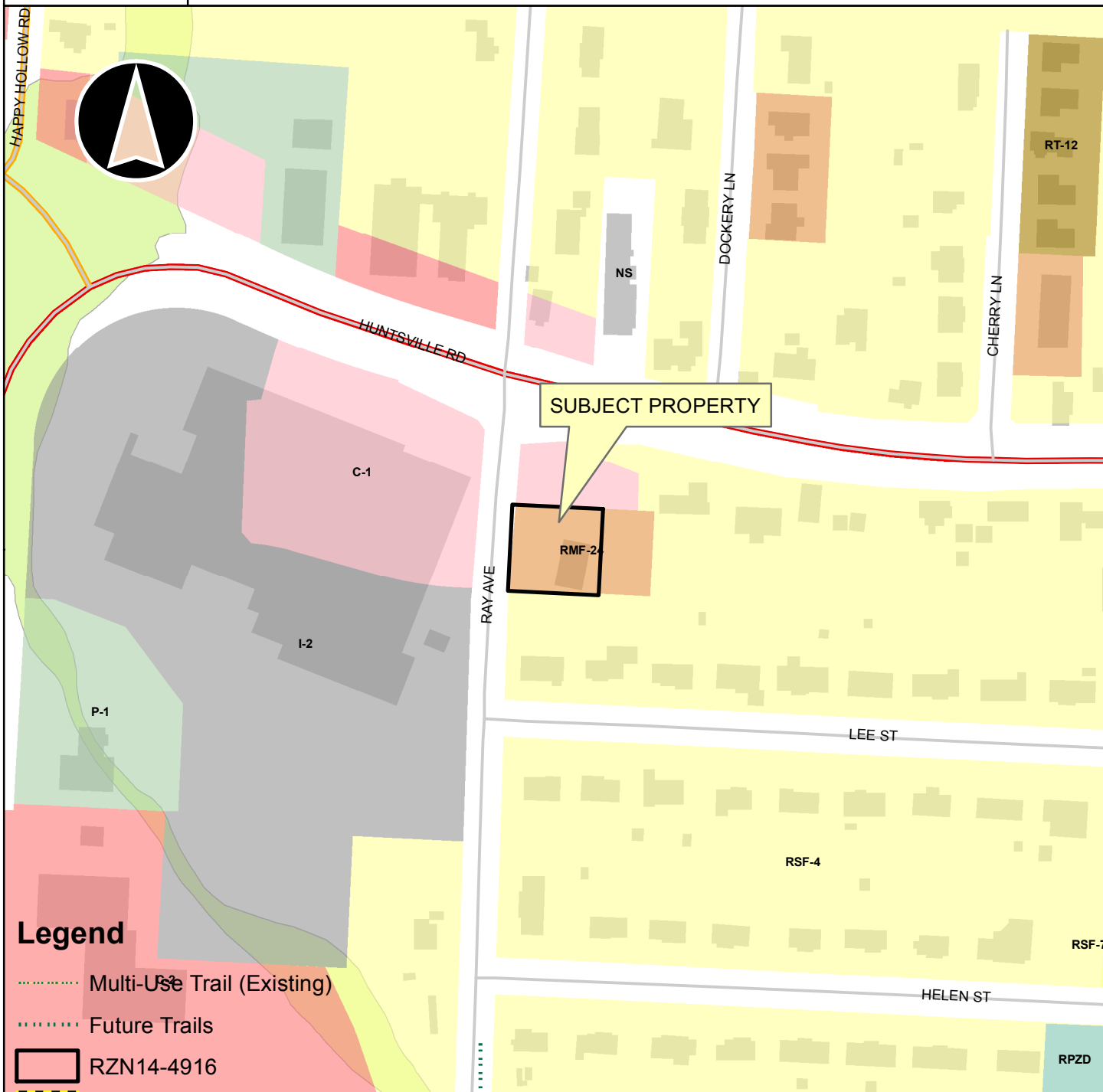
# EXHIBIT 'A'

## 14-4916

RZN14-4916

# HODOUS

Close Up View

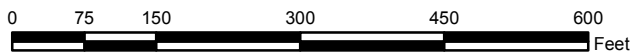


### Legend

- Multi-Use Trail (Existing)
- Future Trails
- RZN14-4916

Overview Fayetteville City Limits

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



## EXHIBIT 'B'

### Legal Description of 956 Ray Avenue, Fayetteville, AR 72701.

A part of the Northeast Quarter of the Northwest Quarter of Section Twenty-three (23) in Township sixteen (16) North, Range Thirty (30) West, described as beginning at the Southwest corner of the East Half of the East Half of the Northwest Quarter of said Section twenty-three (23); thence North 0 degrees 48 minutes West nineteen hundred sixty nine and ninety six hundredths (1969.96) feet to a point fifty (50) feet West and One and seven tenths (1.7) feet North of the Northwest corner of Lot Numbered One (1) in Block Numbered One (1) of Watson Addition, a subdivision of part of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  and a part of the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 23, Township 16 North, of Range 30 West; thence East fifty (50) feet to the East line of Ray Avenue for the Point of beginning; and running thence East one hundred twenty three and six tenths (123.6) feet; thence South one hundred seventeen and seven tenths (117.7) feet to the south line of Lot Numbered One (1) of Block Numbered One (1) in said addition, thence West one hundred twenty three and six tenths (123.6) feet to the Southwest corner of said Lot 1; thence North along the East line of Ray Avenue to the Point of Beginning, said point being one and seven tenths (1.7) feet North of the Northwest corner of said Lot Numbered one (1) in Block Numbered One (1) of Watson Addition.

**ORDINANCE NO.**

AN ORDINANCE REZONING THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 14-4916, FOR APPROXIMATELY 0.32 ACRES, LOCATED AT 956 RAY AVENUE FROM RMF-24, RESIDENTIAL MULTI FAMILY, 24 UNITS PER ACRE, TO NS, NEIGHBORHOOD SERVICES.

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby changes the zone classification of the following described property from RMF-24, Residential Multi Family, 24 Units per Acre, to NS, Neighborhood Services, 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    , 2015.

APPROVED:

ATTEST:

By: \_\_\_\_\_  
**LIONELD JORDAN**, Mayor

By: \_\_\_\_\_  
**SONDRA E. SMITH**, City Clerk/Treasurer