

City of Fayetteville Staff Review Form

2015-0074

Legistar File ID

3/3/2015

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

Jeremy Pate

2/13/2015

City Planning /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

RZN 15-4942: Rezone (3010 W. OLD FARMINGTON RD./NALL-BEDFORD, 557): Submitted by VICKI BEDFORD for property located at 3010 W. OLD FARMINGTON RD. The property is zoned R-A, RESIDENTIAL AGRICULTURE and contains approximately 4.84 acres. The request is to rezone the property to RSF-8, RESIDENTIAL SINGLE FAMILY, 8 UNITS PER ACRE.

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 MARCH 3, 2015

TO: Fayetteville City Council
THRU: Andrew Garner, City Planning Director
FROM: Quin Thompson, Senior Planner
DATE: February 13, 2015

SUBJECT: RZN 15-4942: Rezone (3010 W. OLD FARMINGTON RD./NALL-BEDFORD, 557): Submitted by VICKI BEDFORD for property located at 3010 W. OLD FARMINGTON RD. The property is zoned R-A, RESIDENTIAL AGRICULTURE and contains approximately 4.84 acres. The request is to rezone the property to RSF-8, RESIDENTIAL SINGLE FAMILY, 8 UNITS PER ACRE.

RECOMMENDATION:

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

BACKGROUND:

The subject property is located north of Old Farmington Road, west of I-49, and is developed with one residence dating from 1956. The property is zoned R-A, Residential Agricultural and contains approximately 4.84 acres, a portion being in the Hilltop-Hillside Overlay District.

Surrounding Land Use Compatibility: In staff's opinion, this property is compatible with surrounding uses to the north, east, and south. The adjacent property to the north is a single-family home zoned RSF-4, and the property continuing north is largely undeveloped hillside in the RSF-2 zone, while properties to the south and east are in single or three-family residential use. The requested zoning is less compatible with the existing undeveloped land adjacent to the west, however RSF-8 is not considered a high density zone and staff does not anticipate negative impacts to existing properties.

Land Use Plan Analysis: City Plan 2030 Future Land Use Plan designates this site as Residential Neighborhood Area. This designation supports a wide spectrum of residential uses and encourages density in all housing types; goal number 2 of the plan reads: *We will discourage suburban sprawl.* A lower residential density in this area would encourage the sprawling development patterns that are typical of some parts of western Fayetteville, while RSF-8 begins a transition to higher density residential development that the Plan seeks to encourage.

DISCUSSION:

On February 9, 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, City Planning Director

FROM: Quin Thompson, Current Planner

MEETING DATE: ~~February 09, 2015~~ **UPDATED FEBRUARY 10, 2015**

SUBJECT: **RZN 15-4942: Rezone (3010 W. OLD FARMINGTON RD./NALL-BEDFORD, 557):** Submitted by VICKI BEDFORD for property located at 3010 W. OLD FARMINGTON RD. The property is zoned R-A, RESIDENTIAL AGRICULTURE and contains approximately 4.84 acres. The request is to rezone the property to RSF-8, RESIDENTIAL SINGLE FAMILY, 8 UNITS PER ACRE.

RECOMMENDATION:

Staff recommends forwarding of **RZN 15-4942** to the full City Council with a recommendation for approval.

BACKGROUND:

The subject property is located north of Old Farmington Road, west of I-49, and is developed with one residence dating from 1956. The property is zoned R-A, Residential Agricultural and contains approximately 4.84 acres, a portion being in the Hilltop-Hillside Overlay District. Surrounding land use and zoning is depicted on *Table 1*.

**Table 1
Surrounding Land Use and Zoning**

Direction from Site	Land Use	Zoning
North	Single-family Residential	RSF-4, Residential Single-Family, 4 units per acre
South	Single-Family Residential	RSF-4, Residential Single-Family, 4 units per acre
East	Single-Family and Three-family Residential	R-PZD, Scottswood Place, 3.36 units per acre
West	Undeveloped/Single-family Residential	R-A, Residential Agricultural

Request: The request is to rezone the property from R-A, Residential Agricultural to RSF-8, Residential Single-family/8 units per acre. The applicant's letter indicates that they have no plans for development but intend to market the property for development.

Public Comment: Staff has not received any public comment.

INFRASTRUCTURE:

- Streets:** The southern portion of the property has access to Old Farmington Road. This designated Collector street is an unimproved two-lane asphalt street with intermittent curb/gutter and storm drainage. Any required improvements to this street will be determined at time of development.
- Water:** Public water is available to the site. A 6" public main exists in the Old Farmington Road right-of-way.
- Sewer:** Sanitary sewer is available to the site. An 8" main exists along the eastern boundary of the southern parcel and a 6" main exists on the south side of Old Farmington Road.
- Drainage:** Any additional improvements or requirements for drainage will be determined at time of development. This property is not affected by the 100-year floodplain. This property does not contain any protected streams per the Streamside Protection map. The northern half of the northern subject parcel is located within the Hillside/Hilltop Overlay District.
- Fire:** This development will be protected by Engine 6 located at 900 S. Hollywood. It is 2 miles from the station with an anticipated response time of four minutes to the beginning of the development. The Fire Department anticipates seven calls for service each year after the development is completed and maximum build-out has occurred. Typically this type of development usually takes 12 – 18 months after the development begins before maximum build-out and service impact occurs. 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:

The property is designated as **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, multifamily and rowhouses. 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. This designation recognizes existing conventional subdivision developments which may have large blocks with conventional setbacks and development patterns that respond to features in the natural environment.

DISCUSSION:

FINDINGS OF THE STAFF

RECOMMENDATION: Staff recommends forwarding of **RZN 15-4942** to the City Council with a recommendation for approval based on the findings discussed herein, that the rezoning is compatible with existing and anticipated uses in the surrounding area and is consistent with the Future Land Use Plan.

PLANNING COMMISSION ACTION:		Required	<u>YES</u>
Date: <u>February 09, 2015</u>	<input type="checkbox"/> Tabled	<input checked="" type="checkbox"/> Forwarded	<input type="checkbox"/> Denied
Motion: <u>CHESSER</u>	Second: <u>COOK</u>	Vote: <u>9-0-0</u>	
CITY COUNCIL ACTION:		Required	<u>YES</u>
Date: <u>March 03, 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: Surrounding Land Use Compatibility: In staff's opinion, this property is compatible with surrounding uses to the north, east, and south. The adjacent property to the north is a single-family home zoned RSF-4, and the property continuing north is largely undeveloped hillside in the RSF-2 zone, while properties to the south and east are in single or three-family residential use. The requested zoning is less compatible with the existing undeveloped land adjacent to the west, however RSF-8 is not considered a high density zone and staff does not anticipate negative impacts to existing properties.

Land Use Plan Analysis: City Plan 2030 Future Land Use Plan designates this site as Residential Neighborhood Area. This designation supports a wide spectrum of residential uses and encourages density in all housing types; goal number 2 of the plan reads: *We will discourage urban sprawl.* A lower residential density in this area would continue the sprawling development pattern that is typical of this western part of Fayetteville, while RSF-8 begins a transition to higher density residential development that the Plan seeks to encourage.

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 requested RSF-8 zoning district is justified as this time, as the property is located in an area transitioning from agricultural to residential uses.

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

Finding: Rezoning the property RSF-8 is not likely to increase traffic danger or congestion in this location, although the request is for a zone that will allow a higher intensity of development and use than the very low density that is currently allowed under R-A zoning. Improvements to Old Farmington Road including the continued extension of Old Farmington multi-use trail will likely be required depending on the scale of development.

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 R-A to RSF-8 will increase the potential population density, but is unlikely to undesirably increase the load on public services. The Police Department expressed no objections to the proposal. The Fire Department does not feel that this zoning will negatively affect service times to area.

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 161.03 & 161.09
- Fayetteville Fire Department comments
- Request Letter
- City Plan 2030 – Future Land Use Plan map
- Current Land Use Map
- Close Up Map
- One Mile Map

161.03 District R-A, Residential-Agricultural

(A) *Purposes.* The regulations of the agricultural district are designed to protect agricultural land until an orderly transition to urban development has been accomplished; prevent wasteful scattering of development in rural areas; obtain economy of public funds in the providing of public improvements and services of orderly growth; conserve the tax base; provide opportunity for affordable housing, increase scenic attractiveness; and conserve open space.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 3	Public protection and utility facilities
Unit 6	Agriculture
Unit 7	Animal husbandry
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 37	Manufactured homes
Unit 41	Accessory dwellings
Unit 43	Animal boarding and training

(2) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 20	Commercial recreation, large sites
Unit 24	Home occupations
Unit 35	Outdoor Music Establishments
Unit 36	Wireless communications facilities
Unit 42	Clean technologies

(C) *Density.*

Units per acre	One-half
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(D) *Bulk and area regulations.*

Lot width minimum	200 ft.
Lot Area Minimum:	
Residential:	2 acres
Nonresidential:	2 acres
Lot area per dwelling unit	2 acres

E) *Setback requirements.*

Front	Side	Rear
35 ft.	20 ft.	35 ft.

(F) *Height requirements.* There shall be no maximum height limits in the A-1 District, provided, however, that any building which exceeds the height of 15 feet shall be setback from any boundary line of any residential district a distance of 1.0 foot for each foot of height in excess of 15 feet. Such setbacks shall be measured from the required setback lines.

(G) *Building area.* None.

(Code 1965, App. A., Art. 5(1); Ord. No. 1747, 6-29-70; Code 1991, §160.030; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. 5028, 6-19-07; Ord. 5128, 4-15-08; Ord. 5195, 11-6-08; Ord. 5238, 5-5-09; Ord. 5479, 2-7-12)

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.

(E) *Setback requirements.*

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

(F) *Height regulations.*

Building Maximum	Height	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)



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

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

To: Vicki Bedford, Quin Thompson
From: Will Beeks Assistant Fire Marshal
Date: January 13, 2015
Re: RZN 15-4942

This development will be protected by Engine 6 located at 900 S Hollywood.

It is 2 miles from the station with an anticipated response time of 4 minutes to the beginning of the development.

The Fire Department anticipates 7 calls for service each year after the development is completed and maximum build-out has occurred. Typically, this type of development usually takes 12 - 18 months, after the development is started, before maximum build-out and the service impact to occur.

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!

Jack & Vicki Bedford
21155 Low Gap Lane
Rogers, AR 72756

Jack – 479-925-2468

Vicki - 479-659-2468

vicki@bedfords.com

January 9, 2015

Members of the City Planning Commission
and Fayetteville City Council
113 West Mountain Street
Fayetteville, Arkansas 72701

RE: RZN 15-4942 - 3010 W. Old Farmington Road, Fayetteville, AR
Washington County Parcels #765-14751-000 and 765-14752-000

To Whom It May Concern:

As joint landowners of 3010 W. Old Farmington Road, along with Melton and Bette Nall, we respectfully request that this property be rezoned from R-A to RSF-8. Raising livestock or crop farming is no longer a viable option for this property. With the ongoing growth and changes in the area, as well as the proximity to the University of Arkansas, downtown Fayetteville, and I-49, the RSF-8 zoning aligns with the surrounding development and Fayetteville's Future Land Use Zoning.

Our two parcels of land total just under five acres. We have no current plans to develop the land but are interested in marketing it to potential developers. By updating the zoning now, we believe we can draw a potential buyer that will embrace the city's vision and develop this property in a way that enhances the development around it. As stated earlier, its access to the U of A -- and virtually everything Fayetteville has to offer -- makes it an excellent location for additional housing for students and professionals.

As far as traffic impact, this property is located at the north end of S. One Mile Road on Old Farmington Road. The stoplight at Martin Luther King Boulevard and S. One Mile Road makes access to Martin Luther King simple. With the city's Master Street Plans connecting Old Farmington Road to Salem Road on the east and South Dinsmore Trail to the west, which will then connect to

Ripple Road, this site should have more than adequate access from a number of directions. Signage should not be an issue, since a development would involve single-family homes.

Jeff Staggs in the City Engineering Division has informed us that there is a 6-inch water line that runs in front of our property along Old Farmington Road and an 8-inch water line that runs up the east side of the property. There is also an 8-inch sewer line that runs up the east property line and a 6-inch sewer line that runs along the south side of Old Farmington Road, across the street from our property.

Thank you for your consideration in this request.

Respectfully submitted,

Vicki Bedford

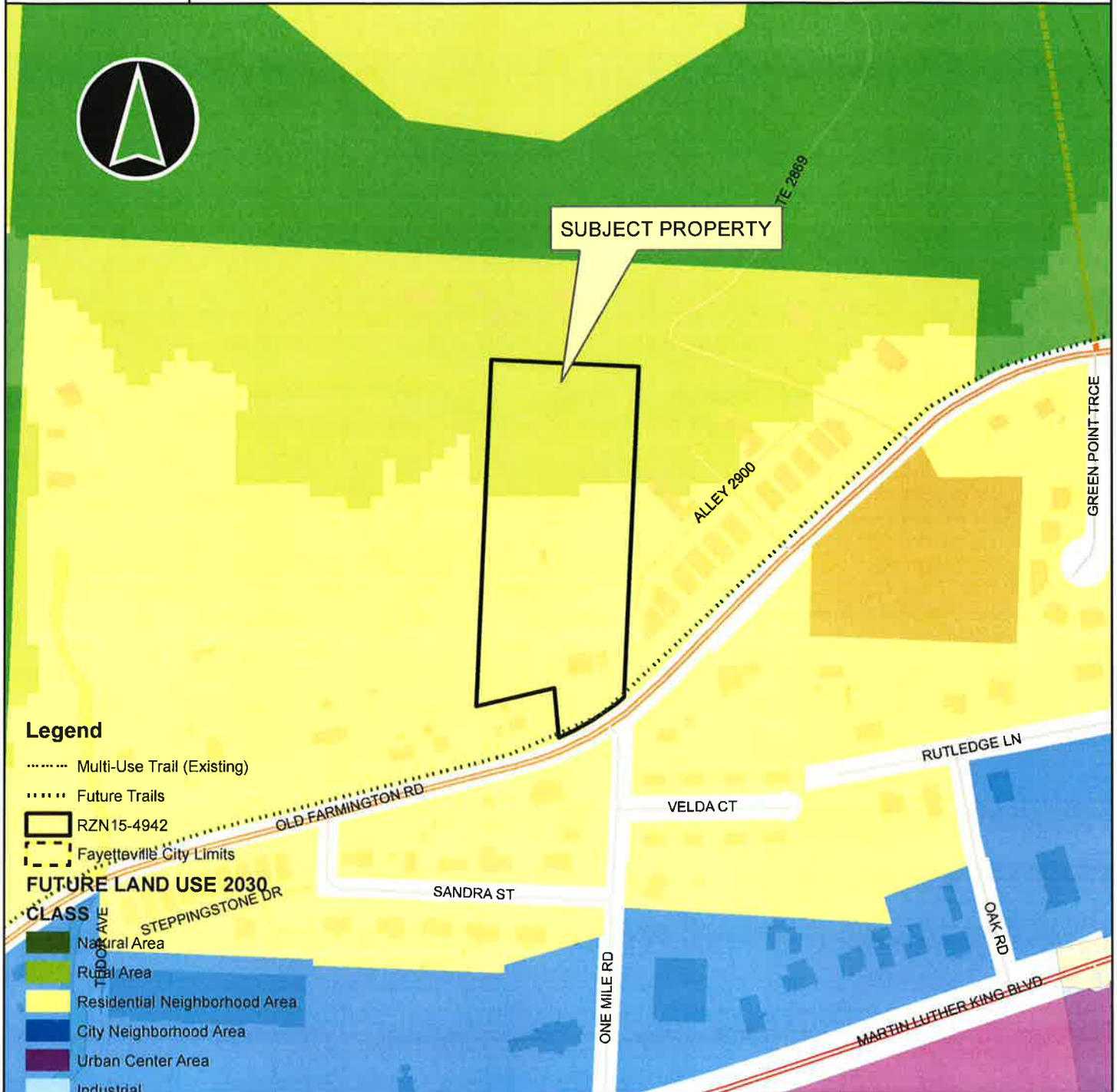
RZN15-4942

NALL-BEDFORD

Future Land Use



SUBJECT PROPERTY



Legend

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

..... Future Trails

RZN 15-4942

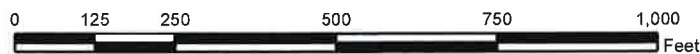
Fayetteville City Limits

FUTURE LAND USE 2030

CLASS

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

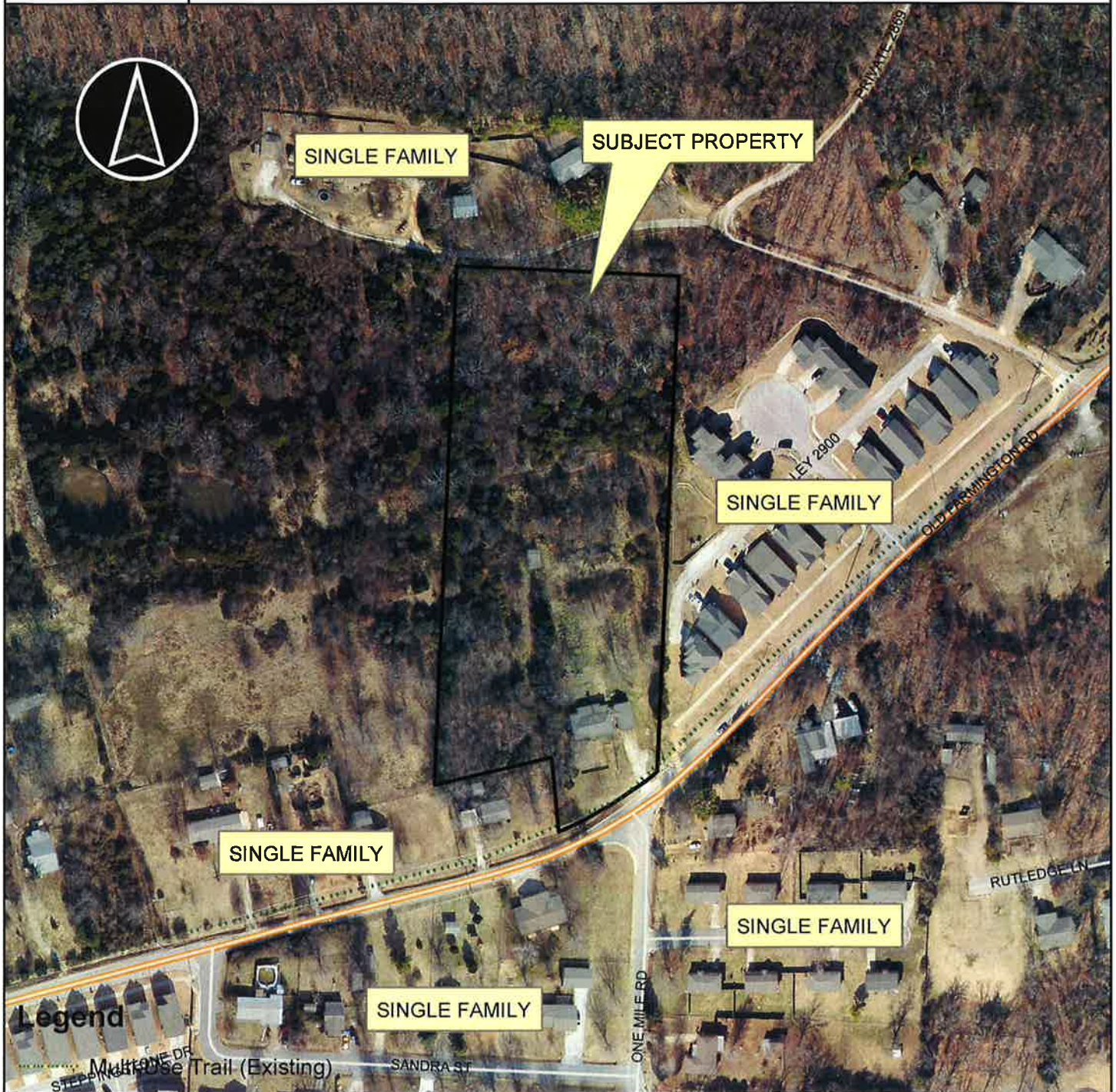
- Complete Neighborhood Plan
- Civic and Private Open Space/Parks
- Civic Institutional
- Non-Municipal Government
- ROW
- Design Overlay District
- Design Overlay District
- Planning Area



RZN15-4942

NALL-BEDFORD

Close Up View



Legend

Overview

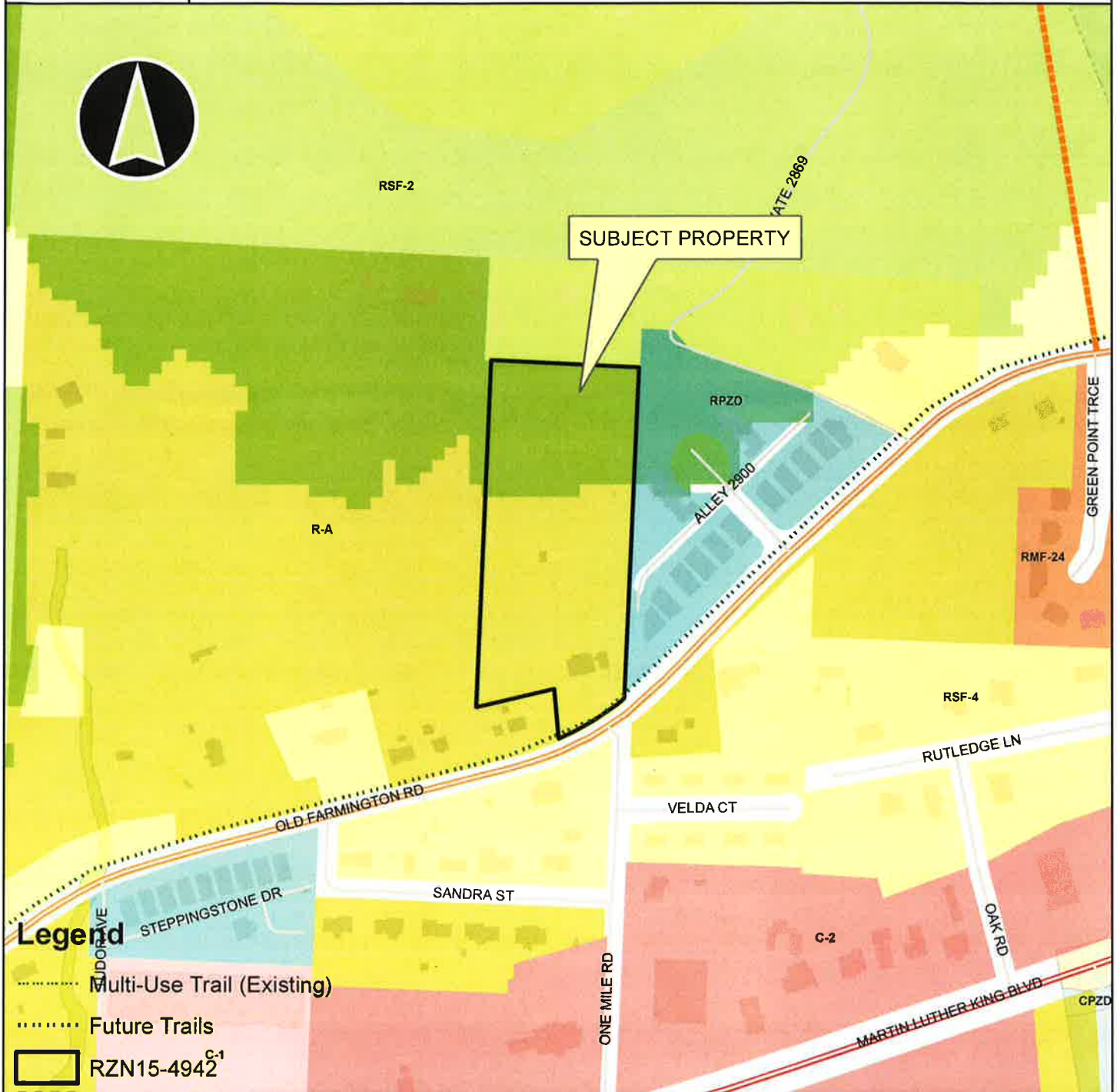
- Future Trails
- RZN15-4942
- Fayetteville City Limits
- Footprints 2010
- Design Overlay District
- Planning Area



RZN15-4942

NALL-BEDFORD

Close Up View



Legend

- Multi-Use Trail (Existing)
- Future Trails
- RZN15-4942

Overview

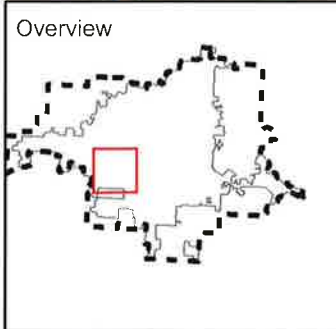
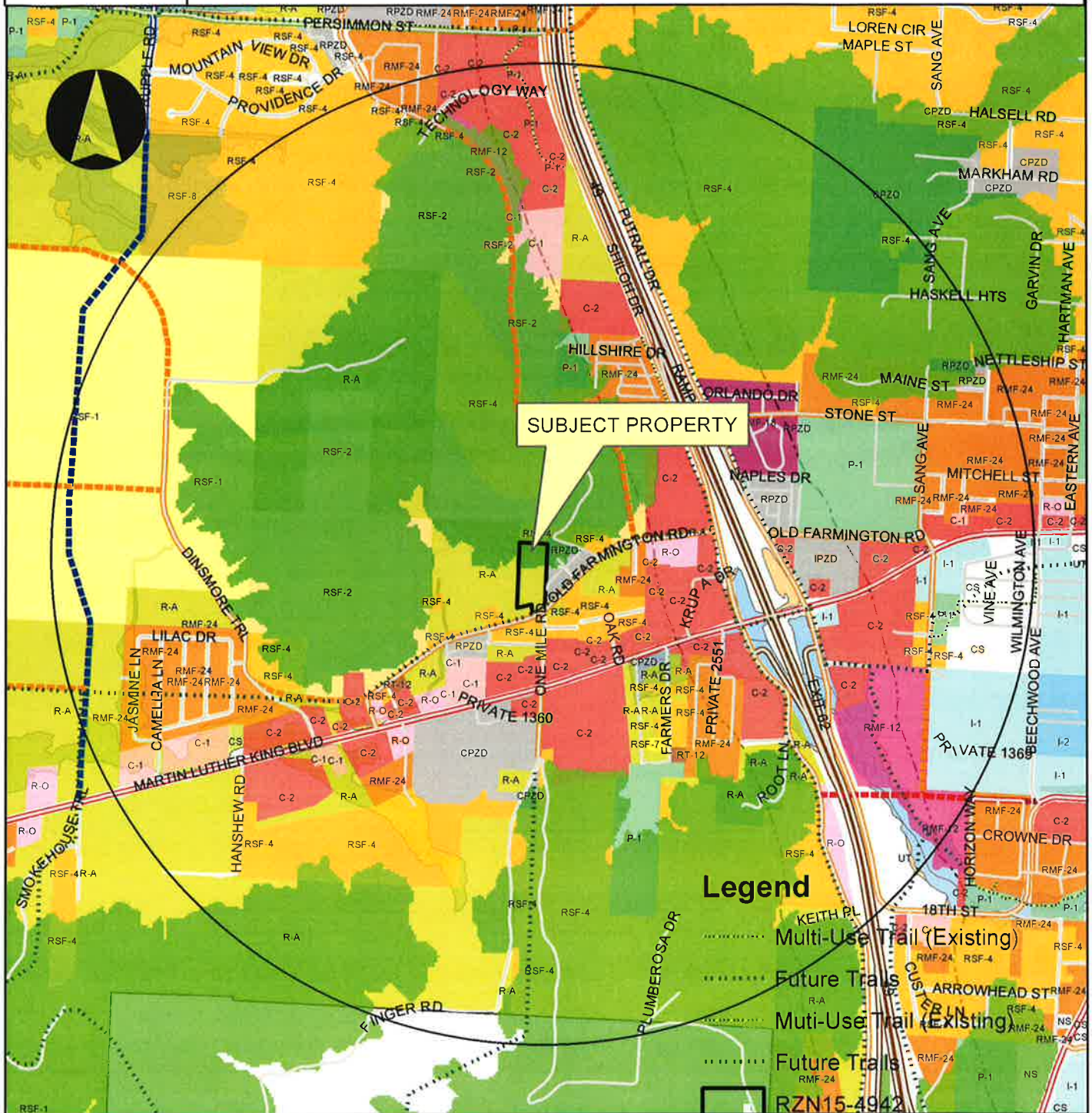
- Fayetteville City Limits
- Footprints 2010
- Hillside-Hilltop Overlay District
- Design Overlay District
- Design Overlay District
- Planning Area



RZN15-4942

NALL-BEDFORD

One Mile View



Legend

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

Subject Property

Boundary

0 0.25 0.5 1 Miles