



Legislation Text

File #: 2015-0249, Version: 1

RZN 15-5044 (4065 E. HUNTSVILLE RD./THE PLAZA)

AN ORDINANCE REZONING THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 15-5044, FOR APPROXIMATELY 16.02 ACRES, LOCATED AT 4065 E. HUNTSVILLE ROAD FROM R-PZD 08-3071, RESIDENTIAL PLANNED ZONING DISTRICT BRIDGEDALE PLAZA TO RSF-7, RESIDENTIAL SINGLE FAMILY, 7 UNITS PER ACRE, NS, NEIGHBORHOOD SERVICES, AND CS, COMMUNITY SERVICES

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

Section 1. That the City Council for the City of Fayetteville, Arkansas hereby changes the zone classification of the following described property from R-PZD 08-3071, Residential Planned Zoning District Bridgedale Plaza to RSF-7, Residential Single Family, 7 Units per Acre, NS, Neighborhood Services, and CS, Community 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.

City of Fayetteville Staff Review Form

2015-0249

Legistar File ID

6/2/2015

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

Jeremy Pate

5/15/2015

City Planning /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

RZN 15-5044: Rezone (4065 E. HUNTSVILLE RD./THE PLAZA, 569): Submitted by JORGENSEN & ASSOCIATES for property located at the 4065 E. HUNTSVILLE RD. The property is zoned R-PZD 08-3071, RESIDENTIAL PLANNED ZONING DISTRICT BRIDGEDALE PLAZA and contains approximately 16.02 acres. The request is to rezone the property to RSF-7, RESIDENTIAL SINGLE FAMILY, 7 UNITS PER ACRE, NS, NEIGHBORHOOD SERVICES, AND CS, COMMUNITY SERVICES.

Budget Impact:

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

V20140710

Previous Ordinance or Resolution # _____

Original Contract Number: _____

Approval Date: _____

Comments:



CITY COUNCIL AGENDA MEMO

MEETING OF JUNE 2, 2015

TO: Fayetteville City Council

FROM: Andrew Garner, City Planning Director

DATE: May 15, 2015

SUBJECT: **RZN 15-5044: Rezone (4065 E. HUNTSVILLE RD./THE PLAZA, 569):** Submitted by JORGENSEN & ASSOCIATES for property located at the 4065 E. HUNTSVILLE RD. The property is zoned R-PZD 08-3071, RESIDENTIAL PLANNED ZONING DISTRICT BRIDGEDALE PLAZA and contains approximately 16.02 acres. The request is to rezone the property to RSF-7, RESIDENTIAL SINGLE FAMILY, 7 UNITS PER ACRE, NS, NEIGHBORHOOD SERVICES, AND CS, COMMUNITY SERVICES.

RECOMMENDATION:

The Planning Commission and staff recommend approval of an ordinance to rezone the property to RSF-7, Residential Single Family, 7 Units per Acre, NS, Neighborhood Services, and CS, Community Services.

BACKGROUND:

The subject property contains approximately 16.02 acres located at the southeast corner of Highway 16 East and River Meadows Drive. All five parcels are zoned R-PZD Bridgedale Plaza, which was a mixed-use development approved by the City Council in 2008 by Ordinance No. 5197. The development was never constructed and the project has expired. The Bridgedale Plaza development was approved in three planning areas including 60 single family dwellings, 30,250 sq. ft. of non-residential space and 24 multi-family dwelling units over offices.

The request is to rezone the north 2.01 acres to CS, Community Services, the middle 1.98 acres to NS, Neighborhood Services, and the south 12.03 acres to RSF-7, Residential Single Family Seven Units per Acre.

Land Use Compatibility:

The property is located along a busy highway corridor with single and multi-family homes to the north, standard subdivision lots to the west and south, and some larger lots of approximately one acre to the east. The proposed zoning for mixed use at the intersection and transitioning to single family zoning provides adequate transition and compatible uses with the surrounding single and multi-family dwellings.

Land Use Plan Analysis:

The zoning is in compliance with many of the goals of City Plan 2030 in particular the mixed-use nature of the commercial, office, and different transitional zonings to create the opportunity for a viable neighborhood. The proposal provides the opportunity for neighborhood services in an area where services are limited. These potential services could serve the surrounding primarily

residential uses for commercial goods and services and provide an area in which residents can live, work, and play. Providing nodes of neighborhood commercial and mixed use zoning discourages sprawl, decreases a neighborhood's reliance on regional commercial developments, and can potentially reduce the number of vehicle trips in the area. The zoning proposal also provides the opportunity for a variety of dwelling types increasing diversity and vibrancy in the community.

Goal 3 in City Plan 2030 states that, "We will make traditional town form the standard". This goal promotes a variety of uses within a neighborhood for daily needs and services within walking distance. In particular, the CS and NS zoning districts are form-based zones intended for buildings to create an inviting pedestrian streetscape with mixed-use buildings and residences close to the street, screening parking areas, and providing sidewalks in a traditional town form.

DISCUSSION:

On May 11, 2015 the Planning Commission forwarded this item to the City Council with a recommendation for approval by a vote of 6-1-0 (Commissioner Brown voted 'no'). At the Planning Commission meeting three members of the public spoke against the rezoning citing concerns with traffic, property values, and flooding.

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

FROM: Andrew Garner, City Planning Director

MEETING DATE: May 11, 2015 Updated with Planning Commission results

SUBJECT: **RZN 15-5044: Rezone (4065 E. HUNTSVILLE RD./THE PLAZA, 569):** Submitted by JORGENSEN & ASSOCIATES for property located at the 4065 E. HUNTSVILLE RD. The property is zoned R-PZD, RESIDENTIAL PLANNED ZONING DISTRICT and contains approximately 16.02 acres. The request is to rezone the property to RSF-7, RESIDENTIAL SINGLE FAMILY, 7 UNITS PER ACRE, NS, NEIGHBORHOOD SERVICES, AND CS, COMMUNITY SERVICES.

RECOMMENDATION:

Staff recommends forwarding **RZN 15-5044** to the City Council with a recommendation for approval.

BACKGROUND:

The subject property contains approximately 15.95 acres located at the southeast corner of Highway 16 East and River Meadows Drive. All five parcels are zoned R-PZD Bridgedale Plaza, which was a mixed-use development approved by the City Council in 2008 by Ordinance No. 5197. The development was never constructed and the project has expired. The Bridgedale Plaza development was approved in three planning areas including 60 single family dwellings, 20,000 sq. ft. of non-residential space and 24 multi-family dwelling units over offices, and 20,000 sq. ft. of non-residential space. 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	Single-family/multi-family	RMF-24, Residential Multi-family 24 units per acre; R-A, Residential Agricultural
South	Single-family	RSF-4, Residential Single-family; unincorporated county (1 dwelling per acre)
East	Single-family	RSF-4, Residential Single-family; R-A, Residential Agricultural
West	Single-family	RSF-4, Residential Single-family

Request: The request is to rezone the north 2.01 acres to CS, Community Services, the middle 1.98 acres to NS, Neighborhood Services, and the south 12.03 acres to RSF-7, Residential Single Family Seven Units per Acre.

Public Comment: Staff has received a phone call from a resident in the Stonebridge Meadows who discussed concerns with traffic and adverse impacts to property values..

INFRASTRUCTURE:

Streets: The subject parcel has access to River Meadows Drive to the northwest (Local Street), Huntsville Road (Hwy. 16) to the north (Principal Arterial Drive), and Pinnacle Drive (Local Street) to the south. Any required improvements to these streets will be determined at time of development. Previous improvements required with the Bridgedale Plaza PZD included the addition of right- and left-turn lanes on River Meadows at Highway 16; all standard improvements to Highway 16 and the potential for a center turn lane; and potential for construction of or contribution of payment for a traffic signal at River Meadows and Highway 16.

Water: Public water is available to the site. There are three locations where water can be accessed by this site. One is an existing 8-inch main along the property frontage of River Meadows Drive, another is the 12-inch main along the property frontage on Huntsville, and the last is along the south side of the property where an 8-inch main has been stubbed out from Pinnacle Dr. for future extension.

Sewer: Sanitary sewer is available to the site at multiple places. An 8-inch main runs along the southern side of the property near the stub out of Pinnacle Drive. There is also an 8-inch line stubbed out to the property along the property frontage of River Meadows Drive. Both of these connection points flow to Sanitary Sewer Lift Station #27. There is also gravity sewer available to the property along the Huntsville Road frontage.

Drainage: Any additional improvements or requirements for drainage will be determined at time of development. This property is not located within the floodplain, but the City's GIS mapping does indicate Hydric Soils near the northeast corner. Therefore, a wetlands determination will be necessary at the time of development. This parcel does not contain any protected streams per the Streamside Protection map. No portions of the subject parcel are located within the Hillside/Hilltop Overlay District.

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**.*

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 15-5044** to the City Council with a recommendation for approval.

PLANNING COMMISSION ACTION:	Required	<u>YES</u>	
Date: <u>May 11, 2015</u>	<input type="checkbox"/> Tabled	<input checked="" type="checkbox"/> Forwarded	<input type="checkbox"/> Denied
Motion: <u>Hoskins</u>	Second: <u>Selby</u>	Vote: <u>6-1-0</u>	(commissioner Brown voted 'no')
CITY COUNCIL ACTION:	Required	<u>YES</u>	
Date: _____	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	
<i>Note: The Planning Commission recommended approval of the rezoning</i>			

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 three zoning districts proposed for the property are compatible with the surrounding land uses and consistent with land use planning objectives and land use plans.

The property is located along a busy highway corridor with single and multi-family homes to the north, standard subdivision lots to the west and south, and some larger lots of approximately one acre to the east. The proposed zoning for mixed use at the intersection and transitioning to single family zoning provides adequate transition and compatible uses with the surrounding single and multi-family dwellings.

The zoning is in compliance with many of the goals of City Plan 2030 in particular the mixed-use nature of the commercial, office, and different transitional zonings to create the opportunity for a viable neighborhood. The zoning proposal provides the opportunity for neighborhood services in an area where services are limited. These potential services could serve the surrounding primarily residential uses for commercial goods and services and provide an area in which residents can live, work, and play. Providing nodes of neighborhood commercial and mixed use zoning discourages sprawl, decreases a neighborhood's reliance on regional commercial developments, and can potentially reduce the number of vehicle trips in the area.

Goal 3 in City Plan 2030 states that, "*We will make traditional town form the standard*". This goal promotes a variety of uses within a neighborhood for daily needs and services within walking distance. In particular, the CS and NS zoning districts are form-based zones intended for buildings to create an inviting pedestrian streetscape with mixed-use buildings and residences close to the street, screening parking areas, and providing sidewalks in a traditional town form.

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 Bridgedale Plaza, 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.

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. Highway 16 is a very congested roadway at peak times and in particular it is very difficult turning left out of River Meadows Drive onto Highway 16 during these times. However, any new development will also create the requirement for new streets and street improvements that will help facilitate additional traffic. With adequate street improvements required as part of the development to the surrounding street infrastructure, 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 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 not expressed concerns with this rezoning.

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 161.08; 161.16; 161.19
- Request letter
- Proposed Zoning Exhibit
- Bridgedale Plaza R-PZD 08-3071 site plan
- Close Up Map
- Current Land Use Map
- Future Land Use Map
- One Mile Map

161.08 District RSF-7, Residential Single-Family – Seven Units Per Acre

(A) *Purpose* The RSF-7 Residential District is designed to permit and encourage the development of detached dwellings in suitable environments.

(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.*

Single-family dwelling units per acre	7 or less
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(D) *Bulk and area regulations.*

(E) *Lot width minimum.*

Single-family	60 ft.
Two-family	60 ft.
Townhouse, no more than two attached	30 ft.

(F) *Lot area minimum.*

Single-family	6,000 sq. ft.
Two-family	6,000 sq. ft.
Townhouse, no more than two attached	3,000 sq. ft.

(G) *Land area per dwelling unit.*

Single-family	6,000 sq. ft.
Two-family	3,000 sq. ft.
Townhouse, no more than two attached	3,000 sq. ft.

(H) *Setback requirements.*

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

(I) *Building height regulations.*

Building Height Maximum	45 ft.
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Height regulations. Structures in this District are limited to a building height of 45 feet. Existing structures that exceed 45 feet in height shall be grandfathered in, and not considered nonconforming uses, (ord. # 4858).

(J) *Building area.* The area occupied by all buildings shall not exceed 50% of the total lot area.

(Code 1991, §160.046; Ord. No. 3792, §4, 5-17-94; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. 4858, 4-18-06; 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)

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

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
Unit 45	Small scale production

(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; Ord. 5735, 1-20-15)

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
Unit 45	Small scale production

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; Ord. 5735, 1-20-15)



JORGENSEN & ASSOCIATES

CIVIL ENGINEERS • SURVEYORS

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

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

City of Fayetteville
113 W Mountain
Fayetteville, AR. 72701

3/26/15

At: Andrew Garner
Re: Bridgedale Plaza Rezoning

Attached please find information pertaining to a rezoning request for Bridgedale Plaza. This project was previously processed as a PZD and due to the bad economy nothing was started so it has expired.

The owner would now like to request a rezoning as follows;

Area #1	to RSF -7
Area #2	to NS
Area #3	to CS

Area #1 consists of 12.03 acres and the request is to rezone to RSF-7 which would allow for 60' wide lots, 6000 sf minimum. Our plan shows a maximum 57 single family lots.

Area #2 consists of 1.98 acres and the request is to rezone to NS (Neighborhood services) serving as mixed use low intensity promoting walkable, pedestrian oriented neighborhood businesses.

Area #3 consist of 2.01 acres and the request is to rezone to CS (Community services) providing convenience goods and personal services.

This property is surrounded by RSF-4 to the west, south and partially to the east. A portion of the property to the east is R-A. Property to the north is RMF-24, RSF-7 and RSF-4. This property will be accessed by Pinnacle Drive to the south and River Meadows Drive and Hwy 16 to the north. Water and sewer will be accessed to the north, west and south.

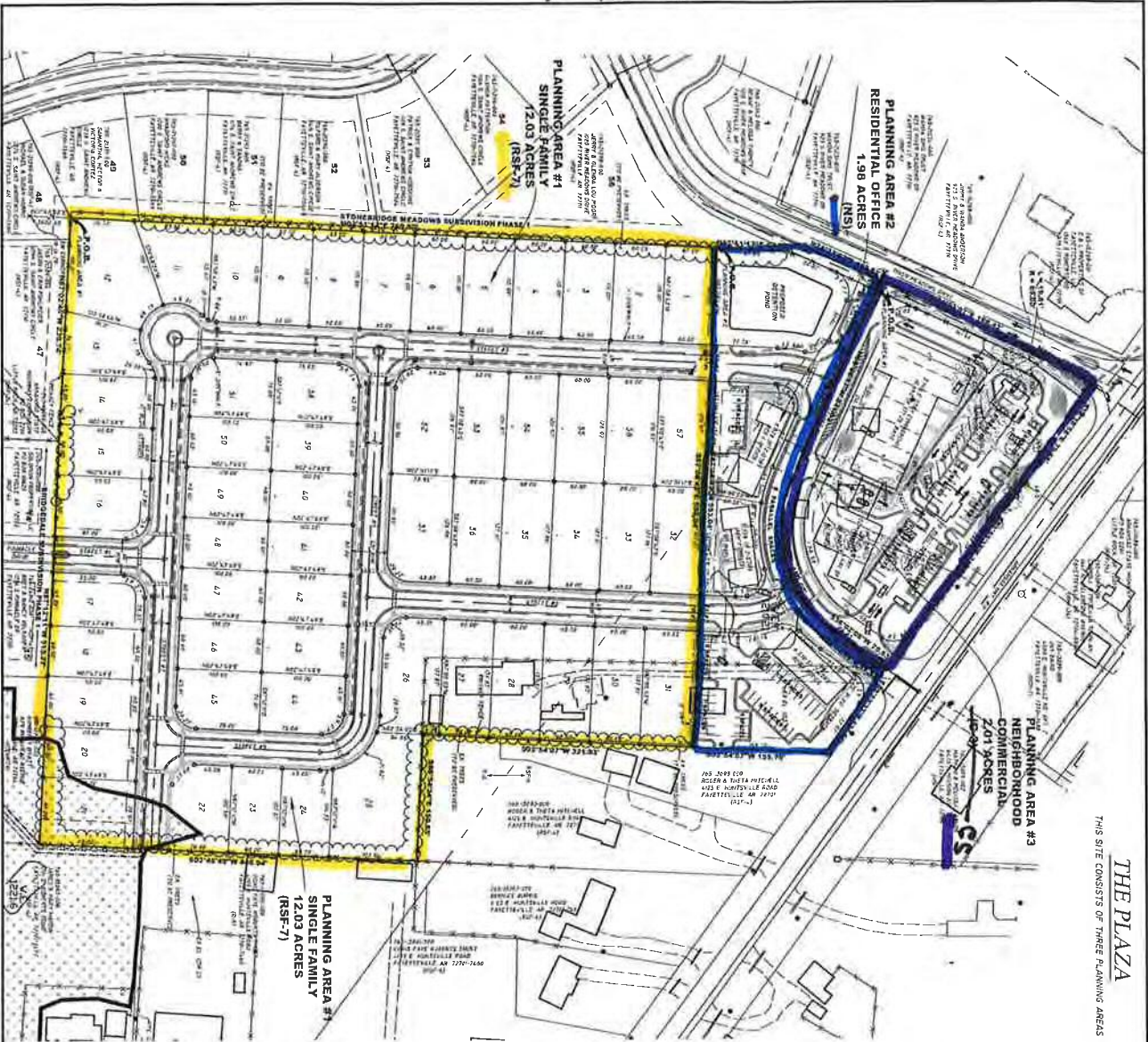
Detention will be provided to the north and to the south.

Please review and contact me concerning any questions you may have.

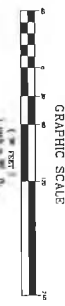
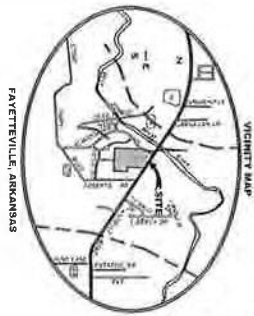
Sincerely;

David L. Jorgensen, P.E.

PROPOSED REZONING RZN 15-5044



THIS SITE CONSISTS OF THREE PLANNING AREAS



LEGAL DESCRIPTION (CENTRE TRACT)

A PART OF THE W/2 OF SECTION 19, T10N, R22W, IN WASHINGTON COUNTY, ARKANSAS AND BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SW CORNER OF SAID SECTION 19; THENCE N26°49'32" E 5400.53 FEET; THENCE S29°31'17" E 796.69 FEET TO THE P.O.B; THENCE N02°51'17" E 87.80 FEET; THENCE S89°41'45" E 102.37 FEET; THENCE S82°00'00" E 132.35 FEET; THENCE S89°41'45" E 39.39 FEET TO THE P.O.B; THENCE S89°41'45" E 102.37 FEET; THENCE S82°00'00" E 132.35 FEET; THENCE S89°41'45" E 39.39 FEET TO THE P.O.B; THENCE S89°41'45" E 102.37 FEET; THENCE S82°00'00" E 132.35 FEET; THENCE S89°41'45" E 39.39 FEET TO THE P.O.B; CONTAINING 12.03 ACRES MORE OR LESS SUBJECT TO EASEMENTS AND RIGHT OF WAY OF RECORD.

LEGAL DESCRIPTION (PLANNING AREA #2)

A PART OF THE W/2 OF SECTION 19, T10N, R22W, IN WASHINGTON COUNTY, ARKANSAS AND BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SW CORNER OF SAID SECTION 19; THENCE N26°49'32" E 5400.53 FEET; THENCE S29°31'17" E 796.69 FEET TO THE P.O.B; THENCE N02°51'17" E 87.80 FEET; THENCE S89°41'45" E 102.37 FEET; THENCE S82°00'00" E 132.35 FEET; THENCE S89°41'45" E 39.39 FEET TO THE P.O.B; THENCE S89°41'45" E 102.37 FEET; THENCE S82°00'00" E 132.35 FEET; THENCE S89°41'45" E 39.39 FEET TO THE P.O.B; CONTAINING 1.38 ACRES MORE OR LESS SUBJECT TO EASEMENTS AND RIGHT OF WAY OF RECORD.

LEGAL DESCRIPTION (PLANNING AREA #3)

A PART OF THE W/2 OF SECTION 19, T10N, R22W, IN WASHINGTON COUNTY, ARKANSAS AND BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SW CORNER OF SAID SECTION 19; THENCE N26°49'32" E 5400.53 FEET; THENCE S29°31'17" E 796.69 FEET TO THE P.O.B; THENCE N02°51'17" E 87.80 FEET; THENCE S89°41'45" E 102.37 FEET; THENCE S82°00'00" E 132.35 FEET; THENCE S89°41'45" E 39.39 FEET TO THE P.O.B; THENCE S89°41'45" E 102.37 FEET; THENCE S82°00'00" E 132.35 FEET; THENCE S89°41'45" E 39.39 FEET TO THE P.O.B; CONTAINING 2.01 ACRES MORE OR LESS SUBJECT TO EASEMENTS AND RIGHT OF WAY OF RECORD.

ENGINEERS
JORGENSEN & ASSOCIATES
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DRAWN BY
 DANIEL LEBLANC, P.E.
 CIVIL ENGINEER
 1420 SOUTH UNIVERSITY AVENUE
 FAYETTEVILLE, AR 72703
 (479) 442-9100

LEGEND:

- Planning Area #1 - Single Family
- Planning Area #2 - Residential Office
- Planning Area #3 - Commercial

SCALE BAR:

0 50 100 FEET
 0 15 30 METERS

GRAPHIC SCALE:

0 100 200 FEET
 0 30 60 METERS

LEGEND:

- Planning Area #1 - Single Family
- Planning Area #2 - Residential Office
- Planning Area #3 - Commercial

SCALE BAR:

0 50 100 FEET
 0 15 30 METERS

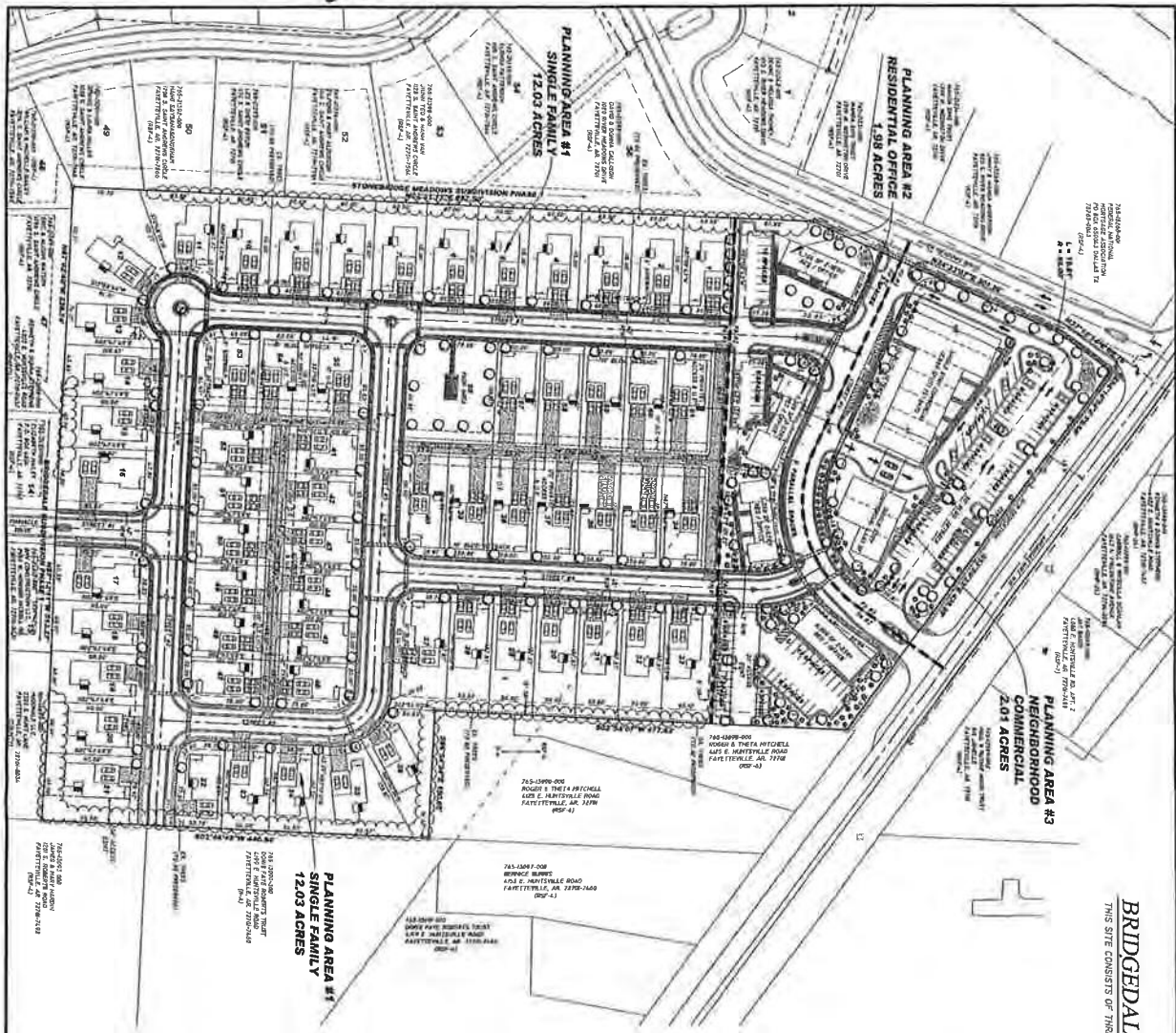
GRAPHIC SCALE:

0 100 200 FEET
 0 30 60 METERS

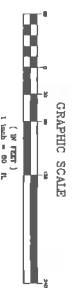
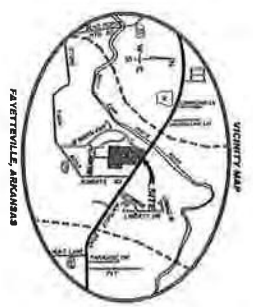
DATE: 5/14/2015	BASE DRAWING:	DESIGNED BY:	DRAWN BY:	CHECKED BY:	DATE: 5/14/2015
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JORGENSEN & ASSOCIATES
 CIVIL ENGINEERS • SURVEYORS

BRIDGEDALE PLAZA R-PZD 08-3071



BRIDGEDALE PLAZA
THIS SITE CONSISTS OF THREE PLANNING AREAS



PROPOSED ZONING & DEVELOPMENT STANDARDS

PLANNING AREA #1	PLANNING AREA #2	PLANNING AREA #3																																																																								
RESIDENTIAL SINGLE-FAMILY	RESIDENTIAL SINGLE-FAMILY	RESIDENTIAL SINGLE-FAMILY																																																																								
<table border="1"> <tr><th>Lot #</th><th>Area (sq ft)</th><th>Min. Lot Area (sq ft)</th><th>Min. Lot Width (ft)</th><th>Min. Lot Depth (ft)</th><th>Min. Front Setback (ft)</th><th>Min. Side Setback (ft)</th><th>Min. Rear Setback (ft)</th><th>Min. Height (ft)</th><th>Max. Height (ft)</th><th>Max. Coverage (%)</th><th>Max. Density (units/acre)</th></tr> <tr><td>1</td><td>12,030</td><td>12,030</td><td>100</td><td>120</td><td>10</td><td>5</td><td>5</td><td>10</td><td>35</td><td>30</td><td>10</td></tr> </table>	Lot #	Area (sq ft)	Min. Lot Area (sq ft)	Min. Lot Width (ft)	Min. Lot Depth (ft)	Min. Front Setback (ft)	Min. Side Setback (ft)	Min. Rear Setback (ft)	Min. Height (ft)	Max. Height (ft)	Max. Coverage (%)	Max. Density (units/acre)	1	12,030	12,030	100	120	10	5	5	10	35	30	10	<table border="1"> <tr><th>Lot #</th><th>Area (sq ft)</th><th>Min. Lot Area (sq ft)</th><th>Min. Lot Width (ft)</th><th>Min. Lot Depth (ft)</th><th>Min. Front Setback (ft)</th><th>Min. Side Setback (ft)</th><th>Min. Rear Setback (ft)</th><th>Min. Height (ft)</th><th>Max. Height (ft)</th><th>Max. Coverage (%)</th><th>Max. Density (units/acre)</th></tr> <tr><td>1</td><td>1,980</td><td>1,980</td><td>100</td><td>120</td><td>10</td><td>5</td><td>5</td><td>10</td><td>35</td><td>30</td><td>10</td></tr> </table>	Lot #	Area (sq ft)	Min. Lot Area (sq ft)	Min. Lot Width (ft)	Min. Lot Depth (ft)	Min. Front Setback (ft)	Min. Side Setback (ft)	Min. Rear Setback (ft)	Min. Height (ft)	Max. Height (ft)	Max. Coverage (%)	Max. Density (units/acre)	1	1,980	1,980	100	120	10	5	5	10	35	30	10	<table border="1"> <tr><th>Lot #</th><th>Area (sq ft)</th><th>Min. Lot Area (sq ft)</th><th>Min. Lot Width (ft)</th><th>Min. Lot Depth (ft)</th><th>Min. Front Setback (ft)</th><th>Min. Side Setback (ft)</th><th>Min. Rear Setback (ft)</th><th>Min. Height (ft)</th><th>Max. Height (ft)</th><th>Max. Coverage (%)</th><th>Max. Density (units/acre)</th></tr> <tr><td>1</td><td>2,010</td><td>2,010</td><td>100</td><td>120</td><td>10</td><td>5</td><td>5</td><td>10</td><td>35</td><td>30</td><td>10</td></tr> </table>	Lot #	Area (sq ft)	Min. Lot Area (sq ft)	Min. Lot Width (ft)	Min. Lot Depth (ft)	Min. Front Setback (ft)	Min. Side Setback (ft)	Min. Rear Setback (ft)	Min. Height (ft)	Max. Height (ft)	Max. Coverage (%)	Max. Density (units/acre)	1	2,010	2,010	100	120	10	5	5	10	35	30	10
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LEGAL DESCRIPTIONS

A PART OF THE PLAT OF THE NINETY-NINE (99) SECTION 16, T8N, R5W, IN MARSHWATER COUNTY, ARKANSAS, AND BEING THE 1/4 AC. TRACT DESCRIBED AS LOTS 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

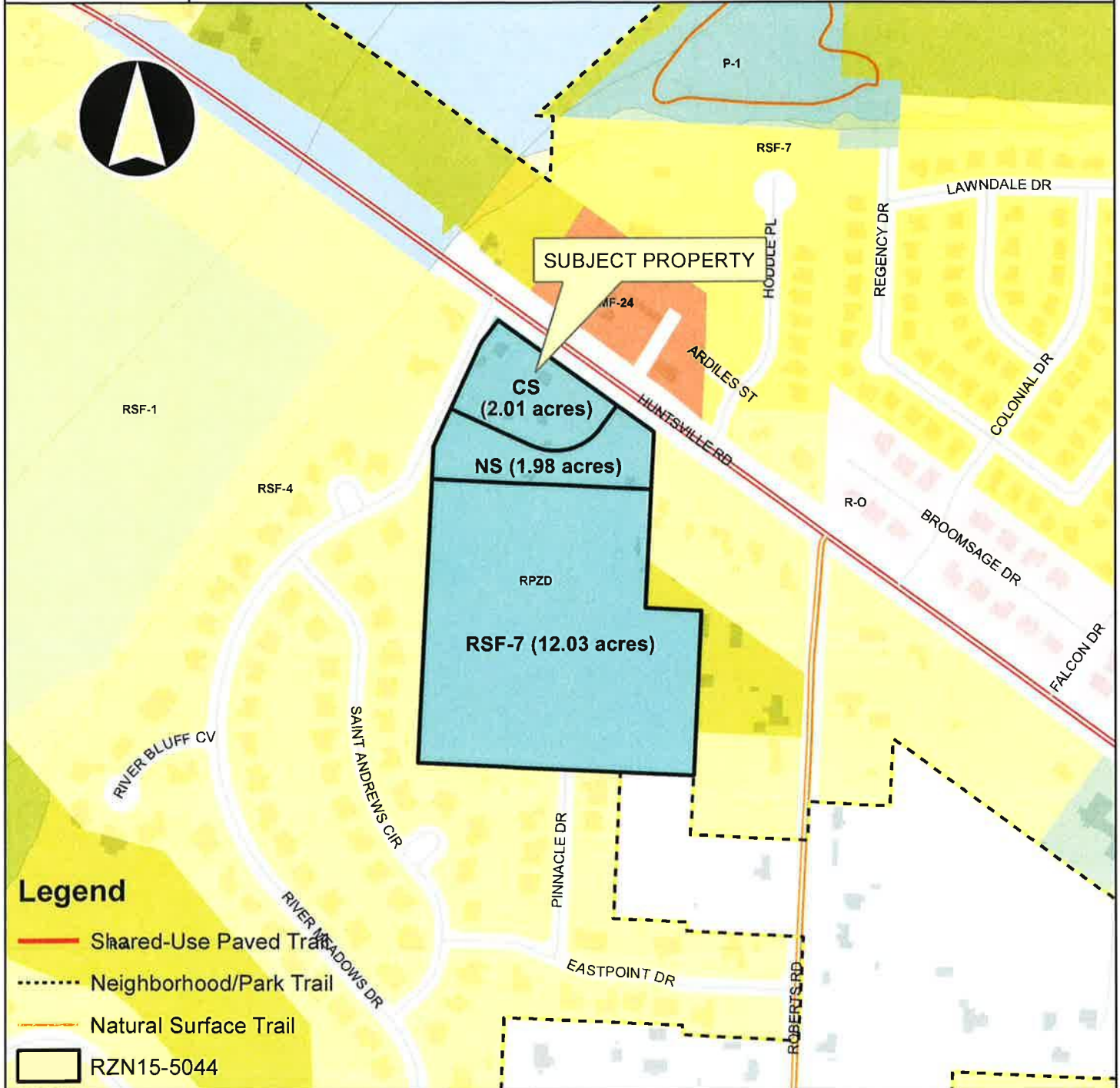
JORGENSEN & ASSOCIATES
CIVIL ENGINEERS • SURVEYORS

SCALE: 1"=40'
DATE: 1/20/2015
CHECKED BY: [Signature]
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BRIDGEDALE PLAZA
ZONING & DEVELOPMENT STANDARDS BY PLANNING AREA

RZN15-5044

THE PLAZA

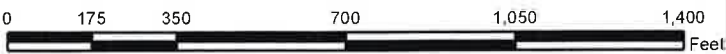
Close Up View



Legend

- Shared-Use Paved Trail
- Neighborhood/Park Trail
- Natural Surface Trail
- RZN15-5044

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



RZN15-5044

THE PLAZA

Current Land Use



Legend

Shared-Use Paved Trail

Neighborhood/Park Trail

Natural Surface Trail

RZN15-5044

Fayetteville City Limits

Design Overlay District

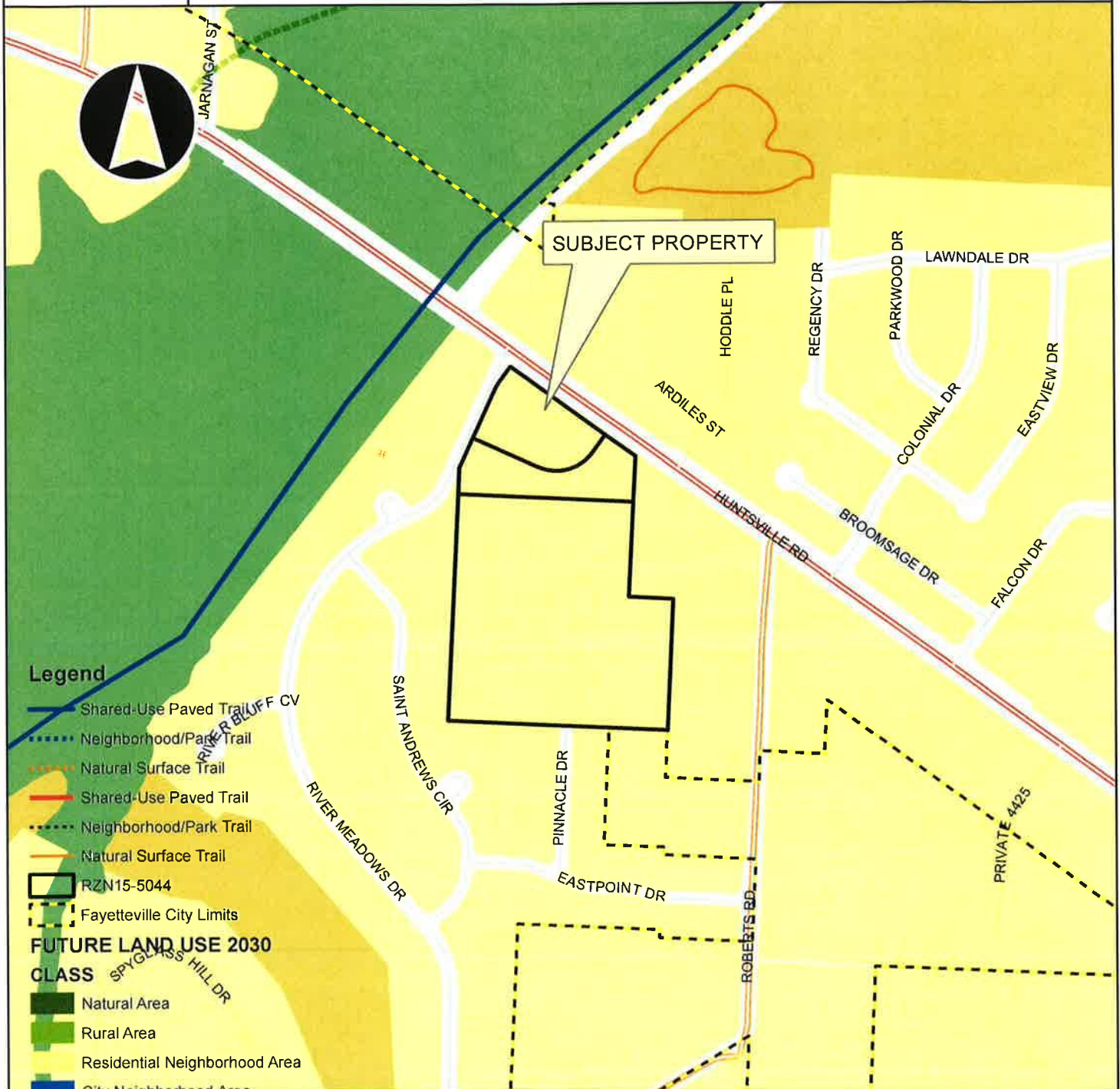
Planning Area



RZN15-5044

THE PLAZA

Future Land Use



Legend

- Shared-Use Paved Trail
- Neighborhood/Park Trail
- Natural Surface Trail
- Shared-Use Paved Trail
- Neighborhood/Park Trail
- Natural Surface Trail
- RZN15-5044
- Fayetteville City Limits

FUTURE LAND USE 2030

- CLASS**
- Natural Area
 - Rural Area
 - Residential Neighborhood Area
 - City Neighborhood Area

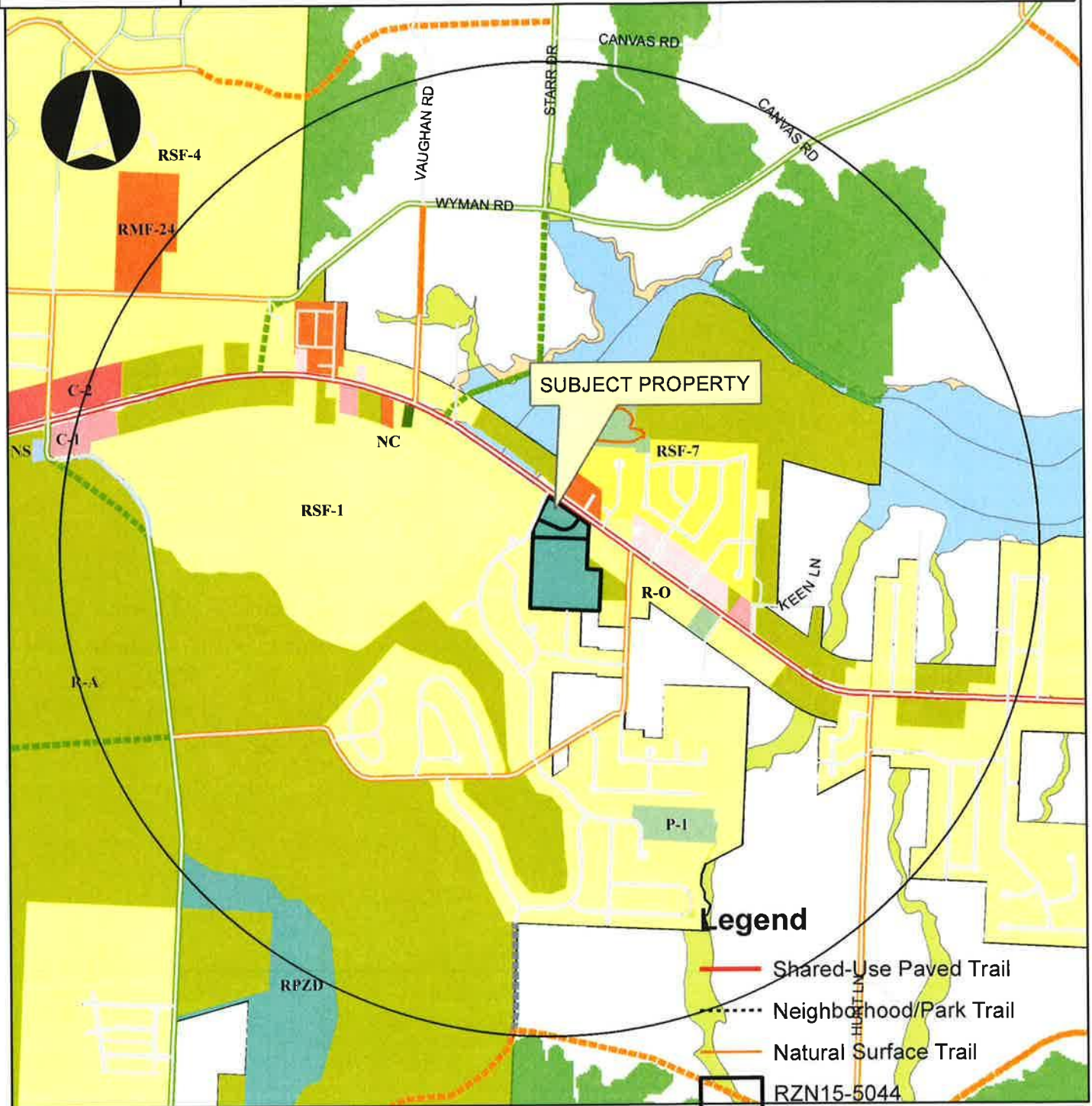
- Urban Center Area
- Industrial
- Complete Neighborhood Plan
- Civic and Private Open Space/Parks
- Civic Institutional
- Non-Municipal Government
- ROW
- Planning Area



RZN15-5044

THE PLAZA

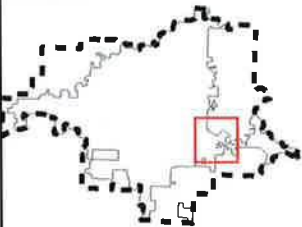
One Mile View



Legend

- Shared-Use Paved Trail
- Neighborhood/Park Trail
- Natural Surface Trail
- RZN15-5044

Overview



Legend

Subject Property

Boundary

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

0 0.25 0.5

Miles

Handed out at the City Council meeting 8/4/15



Robert K. Rhoads
75 N. East Avenue, Suite 402
Fayetteville, AR 72701-5388
Direct Dial: (479) 973-5202
Facsimile: (479) 973-0520
rrhoads@hallestill.com

August 4, 2015

VIA E-MAIL CITYCLERK@FAYETTEVILLE-AR.GOV

Fayetteville City Council

Re: RZN 15-5044(4065 E. Huntsville Rd. /the Plaza)

Dear Members of the Council:

I represent the Developer, Bridgedale (the "Developer") in the above-referenced rezoning. If you will recall, in your July 7th meeting, this matter came up on the third (3rd) reading and after one member of the public and the Developer spoke, the council discussed it. However, before putting it to a vote, the Developer requested it be tabled in order to rework the plan. That has been done (see the new Plat attached) and what is new about it for presentation tonight is as follows:

The twelve-acre portion has been reclassified to request Neighborhood Conservation instead of RSF 7. As you know, Neighborhood Conservation allows for ten (10) lots per acre. However, the Developer will enter into a Bill of Assurance to limit the number of lots at 57 or 4.7 lots per acre. Also note that this is compatible with the surrounding area. I have enclosed a copy of a plat prepared by the Developer's engineer, showing that there are 16 developments around the area of The Plaza, with a total of 1224 lots (a good argument could be made that this project is the type of infill the City is looking for).

To show further the compatibility of The Plaza, the Planning Department supports the Project at the 4.7 lots per acre request. The prior PZD, from 2008, allowed 60 single family dwellings and 24 multi-family dwelling units over offices. On May 11, 2015 the Planning Commission voted in favor of this project 6 to 1. Further, on the July 7th meeting, Alderwoman Marsh stated this project "was compatible" and Alderman Mark Kinion indicated that "compatibility wasn't an issue." Actually, none of you specifically said the Project was incompatible.

In addition, the Developer will add five (5) other promises on a Bill of Assurance that speak to not only the single family twelve (12) acres, but also to the Residential Office and Community Service portions of the rezoning request. Those contractual promises are:

- 1) A gas station, although permitted by the zoning request, will not go on the property.

- 2) There will be three points of ingress and egress, plus there will be a stub out to the East.
- 3) That Developer will pay his share of any future traffic signal.
- 4) That Developer will pay his fair share of work to alleviate an offsite drainage issue that the City and the Developer had planned to fix as stated in the original PDZ (there are neighbors, specifically on Robert's Road, that have been waiting for this fix since 2008).
- 5) In order to ease any traffic issues before the light can be installed, the Developer will pay a reasonable amount to re-stripe a third (3rd) turning lane (with the highway department's permission) to serve the main entrance for this development on Huntsville Road (based on the almost completed widening of Huntsville Road, this part of the road is currently wide enough where no further asphalt or dirt work would be needed).

The Developer for this Project has owned this property before it was a PZD, but unfortunately, due to the economy turn, couldn't develop it, and, as you know, it expired. What is unusual about this Developer is that this entire time, from before it was a PZD until today, he has lived on the property and therefore knows the benefit that the commercial services, and the offsite drainage fix, etc. will be for this neighborhood. Also, if people can get to the commercial services he plans to build without having to get on to Huntsville Road, that will lessen the burden on Huntsville Road. These commercial services would be accessible, not just to the people in this rezoning development, but to many of the people in Stone Bridge Meadows, Crescent Lake, the Hamptons, Bridgedale, etc.

In reviewing the Planning Department's Memo addressed to you on May 15th, 2015, I'd highlight a few things showing why you should support this project:

- 1) "The zoning is in compliance with many of the goals of City Plan 2030."
- 2) "The proposal provides the opportunity for neighborhood services in an area where services are limited."
- 3) "Providing nodes of neighborhood, commercial and mixed use zoning discourages sprawl...and can potentially reduce the number of vehicle trips in the area."

In a May 11th Memo from Andrew Garner to the Planning Commission, he talks about water and sewer being available on the site, a lot in part due to this Developer's contribution to the water and sewer lines going under the west fork of the White River back when he had the PZD. That is, he contributed (\$850,000) with other developers to make that happen potentially serving not only his development but the area in general. In that same Memo, Mr. Garner indicates that in regard to the subject of drainage, any additional requirements would be determined at that time of the development. As Kit can confirm, drainage should not be a

Fayetteville City Council
August 4, 2015
Page 3

determining factor to rezone, instead you should be looking at compatibility. Nonetheless, this Developer believes that between him and the City's requirements, since this area is not in the flood plain, he will be able to do the things necessary to hopefully help any issue that might already exist in the surrounding areas.

I thank you for your consideration. Myself, as well as Mr. Jorgensen, will be available for questions tonight at the meeting. Unfortunately, the Developer is unable to be there. See you tonight.

Sincerely,



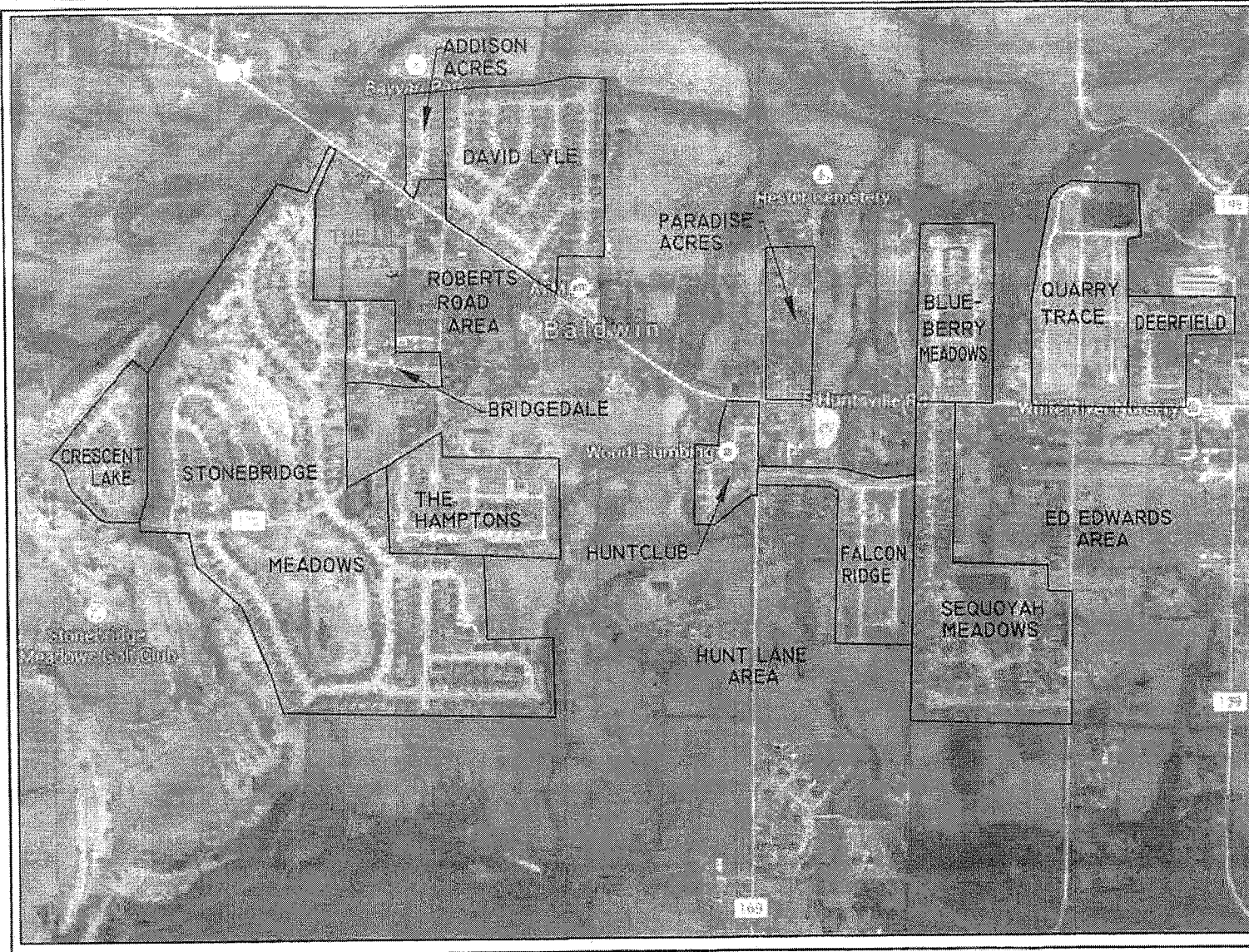
Robert K. Rhoads

RKR:kns

Enclosures

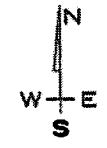
cc: Mayor Jordan (via email)
Jeremy Pate (via email)
Kit Williams (via email)
Dave Jorgensen (via email)
Client (via email)

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HOMES EAST OF BRIDGE/WEST OF MALLY WAGON:

STONEBRIDGE MEADOWS	513 LOTS
FALCON RIDGE	65 LOTS
BLUEBERRY MEADOWS	73 LOTS
QUARRY TRACE	114 LOTS
ROBERTS ROAD AREA	26 LOTS
CRESCENT LAKE	43 LOTS
DAVID LYLE	172 LOTS
ADDISON ACRES	20 LOTS
THE HAMPTONS	69 LOTS
BRIDGEDALE	25 LOTS
DEERFIELD	37 LOTS
ED EDWARDS AREA	71 LOTS
PARADISE ACRES	22 LOTS
SEQUOYAH MEADOWS	97 LOTS
HUNT CLUB	29 LOTS
HUNT LANE AREA	49 LOTS
TOTAL	1,224 LOTS



DATE FILED: _____ COUNTY: _____
 TIME: _____ DEED FILED: _____
 JORGENSEN & ASSOCIATES
 CIVIL ENGINEERS • SURVEYORS
THE PLAZA
 REZONING REQUEST

