

City of Fayetteville Staff Review Form

2015-0432

Legistar File ID

10/6/2015

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

Jeremy Pate

9/18/2015

City Planning /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

RZN 15-5174: Rezone (S. END OF RUPPLE RD./STRIKER DEVELOPMENT, 478/479): Submitted by JORGENSEN & ASSOCIATES, INC. for property located at the SOUTHERN END OF RUPPLE ROAD and contains approximately 101.50 acres. The request is to rezone the property to R-A, RESIDENTIAL-AGRICULTURAL; RSF-2, RESIDENTIAL SINGLE FAMILY 2 UNITS PER ACRE; RSF-4 RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE; NC, NEIGHBORHOOD CONSERVATION and CS, COMMUNITY SERVICES.

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:

MEETING OF OCTOBER 6, 2015

TO: Fayetteville City Council

FROM: Andrew Garner, City Planning Director

DATE: September 18, 2015

SUBJECT: **RZN 15-5174: Rezone (S. END OF RUPPLE RD./STRIKER DEVELOPMENT, 478/479):** Submitted by JORGENSEN & ASSOCIATES, INC. for property located at SOUTHERN END OF RUPPLE RD. The property is zoned NC, NEIGHBORHOOD CONSERVATION; CS, COMMUNITY SERVICES; R-A, RESIDENTIAL-AGRICULTURAL; RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE; AND RSF-2, RESIDENTIAL SINGLE FAMILY, 2 UNITS PER ACRE and contains approximately 101.50 acres. The request is to rezone the property to R-A, RESIDENTIAL AGRICULTURAL; RSF-2, RESIDENTIAL SINGLE FAMILY 2 UNITS PER ACRE; RSF-4 RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE; NC, NEIGHBORHOOD CONSERVATION and CS, COMMUNITY SERVICES.

RECOMMENDATION:

The Planning Commission and staff recommend approval of an ordinance to rezone the property to R-A, Residential-Agricultural; RSF-4, Residential Single Family, 4 Units per Acre; RSF-2, Residential Single Family, 2 Units per Acre; NC, Neighborhood Conservation and CS, Community Services.

BACKGROUND:

The subject property contains approximately 102 undeveloped acres located south of the Mountain Ranch Subdivision in west Fayetteville. The western portion of the property was included in the City-initiated rezoning of the South Ruppel Road corridor project approved by City Council on June 2, 2015 (RZN 15-4965). The existing zoning of the property is listed in *Table 1*. This site is primarily flat pasture with floodplain along the north. The eastern portion of the property is steep hillside in the Hillside Hilltop Overlay District (HHOD), south of the dead end of Mountain Ranch Boulevard.

The applicant requests to rezone the property as listed in *Table 1* and depicted in the attached rezoning exhibit. The applicant has indicated intention to develop the property with higher density and intensity closer to Ruppel Road (possibly including multi-family and non-residential use), and transitioning to lower density typical single family neighborhoods to the east across the flat pasture and larger lots up the hillside. The applicant indicated that the recent South Ruppel Road rezoning does not match up with their exact development plans for the area, and also that portions zoned R-A should be increased in some areas for additional conservation and decreased in other areas for more development.

**Table 1
Existing and Proposed Zoning**

	Existing Zoning	Proposed Zoning
R-A, Residential Agricultural	5.52 acres	11.81 acres
RSF-2, Residential Single Family Two Units per Acre	9.79 acres	10.93 acres
RSF-4, Residential Single Family Four Units per Acre	52.25 acres	46.81 acres
NC, Neighborhood Conservation	33.93 acres	20.28 acres
CS, Community Services	0.22 acres	11.88 acres
TOTAL	102 acres	102 acres

Land Use Compatibility:

The proposed zoning is generally compatible with the surrounding residential properties to the north by proposing similar single family detached zoning and also expanding the R-A zoning along the northern property line for conservation of floodplain and riparian areas identified by the applicant in the field. The zoning would introduce 11.88 acres of CS zoning along the western portion of the site expanding the more intense development anticipated along Ruppel Road into the property, transitioning to lower density NC and RSF-4 districts further east, and finally transitioning to RSF-2 zoning in steep hillside areas along the eastern boundary.

Land Use Plan Analysis:

The rezoning is generally consistent with planning objectives, principles, and policies put forward in the City Plan 2030 and the Future Land Use Map (FLUM). The concept for planned development of this area has been anticipated for many years. Higher density/intensity and form-based mixed use zoning allows a variety of land uses in one area. This allows development to reach the required threshold needed for public transit and non-residential goods and services within walking distance of residential neighborhoods, consistent with City Plan 2030. While the rezoning of the R-A portion of the site does not exactly match the FLUM's designation of Natural Areas, the applicant proposes to shift the R-A areas more to the north netting an increase of 6.35 acres of R-A property intended for conservation and/or preservation of sensitive areas. The applicant's refinement of the zoning lines is expected given that the South Ruppel Road rezoning was completed by City staff at a large scale (642 acres) without information on specific development proposals or detailed field analysis. The proposal is also consistent with principles of transect zoning transitioning from rural to urban zones within a defined neighborhood structure.

DISCUSSION:

On September 14, 2015 the Planning Commission forwarded this item to the City Council with a recommendation for approval by a vote of 9-0-0. No public comment was presented. During the day of the Planning Commission meeting the applicant revised their request slightly at the City Planning Division's advice. The published Planning Commission staff report contains acreages from the original proposal that are slightly different than the request presented at the Planning Commission meeting and forwarded to the City Council.

BUDGET/STAFF IMPACT:

N/A

Attachments:

- Exhibit A
- Exhibit B
- Planning Commission Staff Report



PLANNING COMMISSION MEMO

TO: Fayetteville Planning Commission

FROM: Andrew Garner, City Planning Director

MEETING DATE: September 14, 2015 Updated with Planning Commission results

SUBJECT: **RZN 15-5174: Rezone (S. END OF RUPPLE RD./STRIKER DEVELOPMENT, 478/479):** Submitted by JORGENSEN & ASSOCIATES, INC. for property located at SOUTHERN END OF RUPPLE RD. The property is zoned NC, NEIGHBORHOOD CONSERVATION, R-A, RESIDENTIAL AGRICULTURE, RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE, AND RSF-2, RESIDENTIAL SINGLE FAMILY, 2 UNITS PER ACRE and contains approximately 102 acres. The request is to rezone the property to NC, NEIGHBORHOOD CONSERVATION, CS, COMMUNITY SERVICES, R-A, RESIDENTIAL AGRICULTURE, AND RSF-4 RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE.

RECOMMENDATION:

Staff recommends forwarding **RZN 15-5174** to the City Council with a recommendation for approval except staff recommends the RSF-2 district be retained as it exists.

BACKGROUND:

Background and Property Description: The City will soon begin construction on a major new street connection by extending Ruppel Road approximately 1.5 miles south from the existing dead end of Ruppel Road adjacent to Owl Creek Elementary to Martin Luther King Junior Boulevard. This road project will also be accompanied by a trail connection along the new corridor. The new road will be built as a Principal Arterial with four lanes and a boulevard. Round-a-bouts will be installed approximately every half mile at the planned east-west Collector Street intersections. Construction is scheduled to begin in 2015 and be completed by the end of 2016. The new Ruppel Road will be adjacent to the west of the subject property, but will not be directly accessible from this site until additional east-west streets provide connection.

The subject property contains approximately 102 undeveloped acres located south of the Mountain Ranch Subdivision in west Fayetteville. The western portion of the property was included in the City-initiated rezoning of the South Ruppel Road corridor project approved by City Council on June 2, 2015 (RZN 15-4965). This area of the site is primarily flat pasture with floodplain along the north. The eastern portion of the property is steep hillside in the Hillside Hilltop Overlay District (HHOD), south of the dead end of Mountain Ranch Boulevard. The existing zoning of the proposed rezoning area is indicated in *Table 1* and the surrounding land use and zoning is depicted in *Table 2*.

**Table 1
Existing Zoning**

Existing Zoning	Acres (approximate)
R-A, Residential Agricultural	5.52
RSF-2, Residential Single Family Two Units per Acre	9.79
RSF-4, Residential Single Family Four Units per Acre	52.25
NC, Neighborhood Conservation	33.93
CS, Community Services	0.22
TOTAL	102

**Table 2
Surrounding Land Use and Zoning**

Direction from Site	Land Use	Zoning
North	Mountain Ranch Subdivision	RSF-4, Residential Single Family Four Units per Acre
South	Undeveloped; rural residential	CS, Community Services; NC, Neighborhood Conservation; R-A, Residential-Agricultural
East	Undeveloped wooded hillside	RSF-2, Residential Single Family Two Units per Acre
West	Undeveloped; rural residential; future Ruppel Road corridor	R-A, Residential-Agricultural; NC, Neighborhood Conservation; Community Services

DISCUSSION:

Request: The applicant requests to rezone the property as listed in *Table 3* and depicted in the attached rezoning exhibit. The applicant has indicated intention to develop the property with higher density and intensity closer to Ruppel Road (possibly including multi-family and non-residential use), and transitioning to lower density typical single family neighborhoods to the east across the flat pasture and larger lots up the hillside. The applicant indicated that the recent South Ruppel Road rezoning does not match up with their exact development plans for the area, and also that portions zoned R-A should be increased in some areas for additional conservation and decreased in other areas for more development.

Proposed zoning was amended at the Planning Commission meeting as noted

**Table 3
Proposed Zoning**

Proposed Zoning	Acres (approximate)
R-A, Residential Agricultural	11.81
RSF-4, Residential Single Family Four Units per Acre	57.74 46.81
NC, Neighborhood Conservation	20.28
CS, Community Services	11.88
TOTAL	102
RSF-2, Residential Single Family Two Units per Acre	10.93

Public Comment: Staff has not received public comment.

INFRASTRUCTURE:

- Streets:** The subject property will not have direct access to the newly constructed Ruppel Road (Principal Arterial). Additional streets will be necessary at the time of development. The area is also accessed by several street stub-outs from the Mountain Ranch neighborhood to the north.
- Water/Sewer:** Both water and sewer mains have been stubbed out of the developments to the north, but no public utilities currently exist on or near this area. It shall be the responsibility of the property owner to extend utilities as needed at the time of development.
- Drainage:** Any additional improvements or requirements for drainage will be determined at time of development. Portions of the subject parcels do lie within the 100-yr floodplain, and streamside protection areas. The Hillside/Hilltop Overlay District is present on the easternmost portion of the property.
- Fire:** This development will be protected by Engine 7 located at 835 Ruppel Road. It is 0.50 miles from the station to the study area with an anticipated response time of 2 minutes to the beginning of the study area. The Fire Department does not feel this rezoning will affect calls for service or response times.
- Police:** The Police Department discussed with the South Ruppel Road corridor rezoning that they could see a substantial increase in the demand for police services in the area of the Ruppel Road corridor with the proposed construction of a four lane boulevard with three roundabouts. An appreciable increase in calls for service, as well as increase traffic and traffic accidents related to growth may be expected.

PLANNING COMMISSION ACTION: Required			
Date: <u>September 14, 2015</u>	<input type="checkbox"/> Tabled	<input checked="" type="checkbox"/> Forwarded	<input type="checkbox"/> Denied
Motion: <u>Chesser</u>			
Second: <u>Hoffman</u>			
Vote: <u>9-0-0</u>	<i>Note: Forwarded with a recommendation for approval.</i>		
CITY COUNCIL ACTION: Required			
Date: _____	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	

CITY PLAN 2030 FUTURE LAND USE PLAN:

The City Plan 2030 Future Land Use Plan map (FLUM) identifies this area primarily as a **Residential Neighborhood Area**, with **Rural Area** along the steep eastern portion of the property currently zoned RSF-2 and proposed to be zoned RSF-4. **Natural Area** designations are also

located along isolated floodplains. Almost the entire area is on the Enduring Green Network map because it is largely undeveloped and contains high environmental quality including remnant prairie habitat and steep slopes.

This area has been indicated on the FLUM to be developed at moderate to medium density for a number of years, except for the hillside areas that were anticipated for low density and minimal impacts to the hillside/hilltops. The applicant's proposal to rezone the area is generally consistent with the FLUM designation for preservation of riparian areas and development of increased density in other areas. However, the applicant's proposal to rezone approximately 9.79 acres of **Rural Area** from RSF-2 to RSF-4 conflicts with the adopted land use plan and council's original intent for low density development and reduced impact to these prominent hillsides.

The study area is identified as having a high level of natural resources by the Fayetteville Natural Heritage Association (FNHA), a local non-profit group. Habitat in the study area is classified by the FNHA as prairie remnant and seasonal wetlands¹. As a result of the FNHA work and other City staff research, this study area was included on the Enduring Green Network (EGN) map. The EGN map resulted in designation of portions of this area as Natural Area on the FLUM. Remnant prairie in the study area appears to be located particularly along the riparian corridors that have less disturbance. The Woolsey Wet Prairie Sanctuary is a 30-acre wetland mitigation site located on the City's wastewater treatment plant to the west of the study area. Due to the environmental sensitivity of the study area, staff recommends that land identified as **Natural Area** be zoned R-A, Residential Agricultural. This zoning should result in conservation along these riparian corridors in exchange for higher density in other areas. The applicant's proposal does not directly follow the Natural Area designation. However, the applicant indicated to staff that specific study by the engineer of record for the Ruppel Road corridor project (also the applicant) indicated that the current rezoning proposal more directly follows sensitive environmental areas located in the field than the Natural Area boundary that follows the FEMA floodplain maps.

- **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.
- **Natural Areas** consist of lands approximating or reverting to a wilderness condition, including those with limited development potential due to topography, hydrology, vegetation or value as an environmental resource. These resources can include stream and wildlife corridors, as well as natural hubs and cores, as identified in the FNHA study, many of which make up the backbone of the enduring green network. A **Natural Area** designation would encourage a development pattern that requires conservation and preservation, prevents degradation of these areas, and would utilize the principles of low impact development for all construction.
- **Rural Residential Areas** recognize existing low-density, large lot residential development, but are identified to encourage the conservation and preservation of woodlands, grasslands, or agricultural lands that are sparsely settled. They may or may not have adequate street and water infrastructure or public services, such as police and

¹ Fayetteville Natural Heritage Association Environmental Working Group Map 2008-2009

fire, to support urban or suburban densities and development patterns nor should these services be expanded to accommodate further growth unless they are in line with guiding principles further outlined in City Plan 2030.

FINDINGS OF THE STAFF

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 proposed zoning is generally compatible with the surrounding residential properties to the north by proposing similar single family detached zoning and also expanding the R-A zoning along the northern property line for conservation of floodplain and riparian areas identified by the applicant in the field. The zoning would introduce 11.88 acres of CS zoning along the western portion of the site expanding the more intense development anticipated along Ruppel Road into the property then transitioning to lower density NC and RSF-4 districts further east on the property.

The proposal to rezone the RSF-2 property on the eastern is not consistent with the adjacent zoning and development patterns that are anticipated for low density and preservation of steep hillside/hilltop areas. *Staff recommends denial of this portion of the rezoning.*

With the exception of the proposal to remove the RSF-2 zoning, the rezoning is generally consistent with planning objectives, principles, and policies put forward in the City Plan 2030 and the FLUM. The concept for planned development of this area has been anticipated for many years. Higher density/intensity and form-based mixed use zoning allows a variety of land uses in one area. This allows development to reach the required threshold needed for public transit and non-residential goods and services within walking distance of residential neighborhoods, consistent with City Plan 2030.

While the rezoning of the R-A portion of the site does not exactly match the FLUM's designation of Natural Areas, the applicant proposes to shift the R-A areas more to the north netting an increase of 6.35 acres of R-A property intended for conservation and/or preservation of sensitive areas. The applicant's refinement of the zoning lines is expected given that the South Ruppel Road rezoning was completed by City staff at a large scale (642 acres) without information on specific development proposals or detailed field analysis.

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

Finding: Staff finds that the proposed zoning is justified and needed to accommodate planned development of this area (also see Finding No. 1). The City will be commencing construction of the Ruppel Road project in the next few months. The rezoning is needed because of the impending development pressure that will result from this project. A detailed review and modification

of the zoning of the applicant's property is appropriate given that the applicant has a specific development proposal that was not accurately accommodated in the recent rezoning of 642 acres also proposed by staff.

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

Finding: This rezoning will not substantially increase traffic on surrounding roads over the existing zoning. The City's planned road project will be completed in the near future facilitating this planned growth. As individual developments are reviewed, on and off-site street improvements will be reviewed and recommended. One such recommendation for this area may include an assessment for developments to contribute money to the Persimmon Street overpass. This is a planned east-west connection over I-49 which will alleviate congestion at I-49/Wedington Road interchange. The extension of approximately 11.88 acres of CS zoning without a direct connection to Ruppel Road will require additional connection points to the west that will be required at the time 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: The proposed rezoning would increase population density over the existing zoning. 11.88 acres of the western portion of the property would change from R-A and NC to CS zoning. CS allows unlimited density and non-residential uses. However, development of this area has been anticipated and is being spurred by the City's development of the Ruppel Road project. The applicant's zoning change would not undesirably increase load on public services over the existing zoning.

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:

- Existing and proposed zoning criteria
- Staff's request letter
- Rezoning exhibit
- Current land use map
- Close up map
- Future land use 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)

161.06 District RSF-2, Residential Single-Family – Two Units Per Acre

(A) *Purpose.* To provide a single-family dwelling transition zone between single-family neighborhoods that have developed with larger lot sizes (one acre and over) and areas that have developed with smaller lot sizes (8,000 sq. ft.), and to permit and encourage the development of low density detached dwellings in suitable environments, as well as to protect existing development of these types.

(B) *Uses.*

(C) *Permitted uses.*

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

(D) *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 24	Home occupations
Unit 36	Wireless communications facilities
Unit 44	Cottage Housing Development

(E) *Density.*

Units per acre	2
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(F) *Bulk and area regulations.*

Lot width minimum	100 ft.
Lot area minimum	17,860 Sq. Ft.
Land area per dwelling unit	17,860 Sq. Ft.

(G) *Setback requirements.*

Front	Side	Rear
30 ft.	15 ft.	30 ft.

(H) *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).

(I) *Building area.* None.

(Code 1991, §160.045; 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. 5462, 12-6-11)

161.07 District RSF-4, Residential Single-Family – Four Units Per Acre

(A) *Purpose.* The RSF-4 Residential District is designed to permit and encourage the development of low density detached dwellings in suitable environments, as well as to protect existing development of these types.

(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 dwellings	Two-family dwellings
Units per acre	4 or less	7 or less

(D) *Bulk and area regulations.*

	Single-family dwellings	Two-family dwellings
Lot minimum width	70 ft.	80 ft.
Lot area minimum	8,000 sq. ft.	12,000 sq.-ft.
Land area per dwelling unit	8,000 sq. ft.	6,000 sq. ft.
Hillside Overlay District Lot minimum width	60 ft.	70 ft.
Hillside Overlay District Lot area minimum	8,000 sq. ft.	12,000 sq.-ft.
Land area per dwelling unit	8,000 sq. ft.	6,000 sq. ft.

(E) *Setback requirements.*

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

(F) *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).

(G) *Building area.* On any lot the area occupied by all buildings shall not exceed 40% of the total area of such lot.

(Code 1991, §160.031; 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)

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)

161.26 Neighborhood Conservation

(A) *Purpose.* The *Neighborhood Conservation* zone has the least activity and a lower density than the other zones. Although *Neighborhood Conservation* is the most purely residential zone, it can have some mix of uses, such as civic buildings. *Neighborhood Conservation* serves to promote and protect neighborhood character. For the purposes of Chapter 96: Noise Control, the *Neighborhood Conservation* district is a residential zone.

(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 9	Two-family dwellings
Unit 10	Three-family dwellings
Unit 12	Limited Business *
Unit 24	Home occupations
Unit 25	Offices, studios, and related services
Unit 28	Center for collecting recyclable materials
Unit 36	Wireless communication facilities
Unit 44	Cottage Housing Development

(C) *Density.* 10 Units Per Acre.

(D) *Bulk and area regulations.*

(1) *Lot width minimum.*

Single Family	40 ft.
Two Family	80 ft.
Three Family	90 ft.

(2) *Lot area minimum.* 4,000 Sq. Ft.

(E) *Setback regulations.*

Front	A build-to zone that is located between the front property line and a line 25 ft. from the front property line.
Side	5 ft.
Rear	5 ft.
Rear, from center line of an alley	12 ft.

(F) *Building height regulations.*

Building Height Maximum	45 ft.
-------------------------	--------

(Ord. 5128, 4-15-08; Ord. 5312, 4-20-10; Ord. 5462, 12-6-11; Ord. 5592, 6-18-13; Ord. 5664, 2-18-14)



JORGENSEN
+ASSOCIATES
Civil Engineering + Surveying

124 W Sunbridge Drive, Suite 5
Fayetteville, AR 72703
Office: 479.442.9127
Fax: 479.582.4807
www.jorgensenassoc.com

August 4, 2015

City of Fayetteville
113 W. Mountain Street
Fayetteville, AR 72701

Attn: Development Services

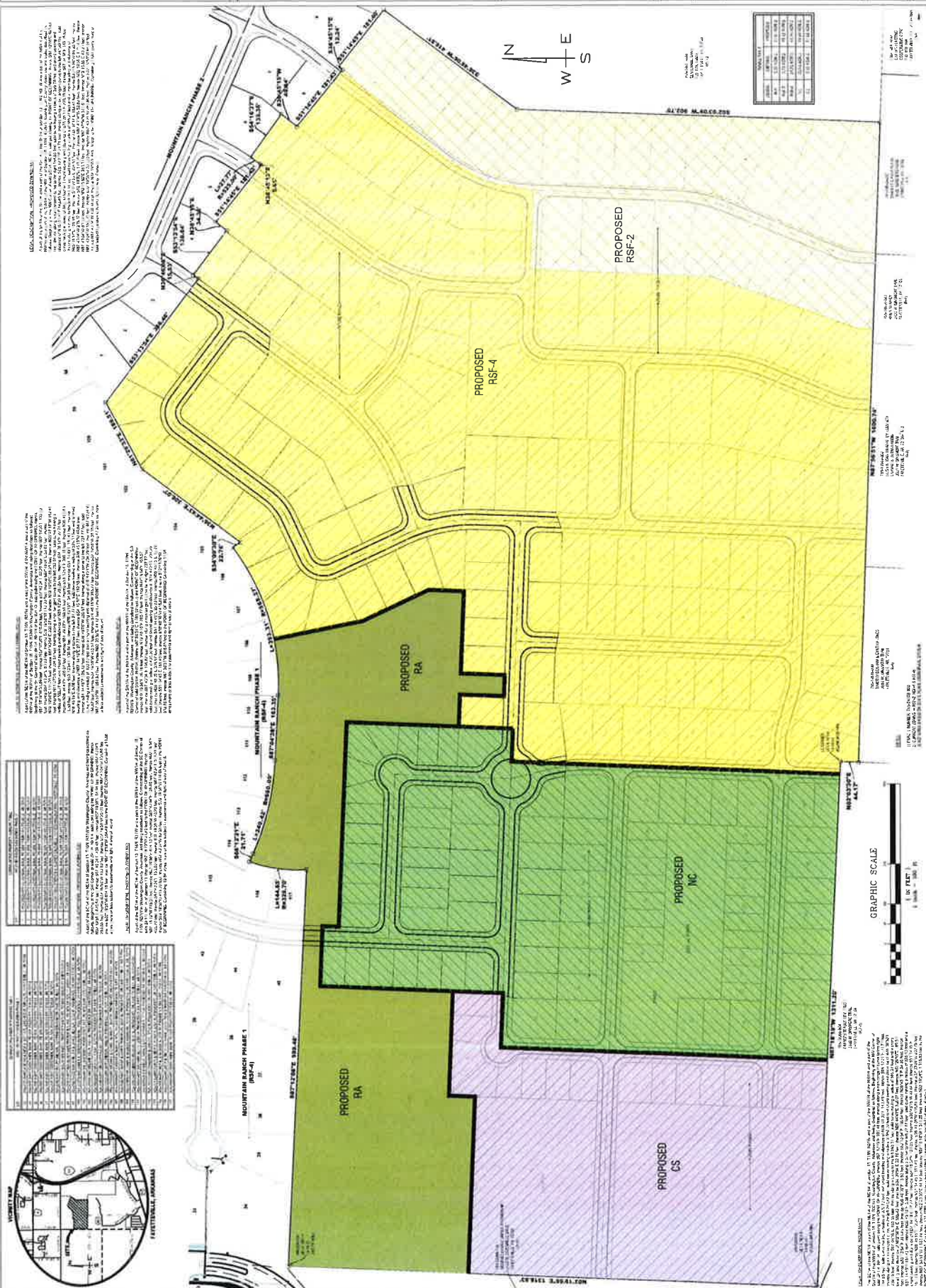
Re: Mountain Ranch Rezoning

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

- A. The current owner of this site is as follows: Striker Development, Inc
- B. Currently this property is zoned R-A, CS, RSF-2, RSF4, and NC. The reason for the requested rezoning is to re-align current zoning lines to fit more properly within the bounds of the development.
- C. The property to the north is RSF-4, on the east on top of the hill is RSF-2, to the west and south, there is Community Services, R-A, and NC. We feel that realigning the zonings within this property will be compatible with the surrounding zonings.
- D. Existing water and sewer are already at this site (8" Water and Sewer run along Powderhorn).
- E. We feel the requested zonings are in line with the goals of the City Plan 2030 for rezoning and development in the future to be consistent with the recent rezoning along Ruppel Road.
- F. This rezoning is needed at this time to aid in cleaning up the current zoning lines to allow this property to develop and coincides with the construction of Ruppel Road.
- G. This development will not adversely affect the existing or proposed streets in the area.
- H. The potential to increase the population density in this area as a result of this rezoning would aid in supplying a demand to existing commercial uses in the area and the proximity to the existing schools and Boys & Girls club further support this rezoning request.
- I. The current zoning lines do not follow a pattern which would lend itself to an efficient or proper alignment of lots within the proposed development.

Sincerely;

Blake E. Jorgensen, P.E.



LEGAL DESCRIPTION: [Detailed legal description of the property, including references to previous surveys and zoning districts.]

NOTICE: [Notice regarding the zoning process, including information about public hearings and the zoning commission's role.]

ADDITIONAL INFORMATION: [Additional details regarding the project, including contact information for the planning department.]

NO.	DESCRIPTION	DATE
1	PRELIMINARY ZONING MAP	08/11/2023
2	FINAL ZONING MAP	08/11/2023

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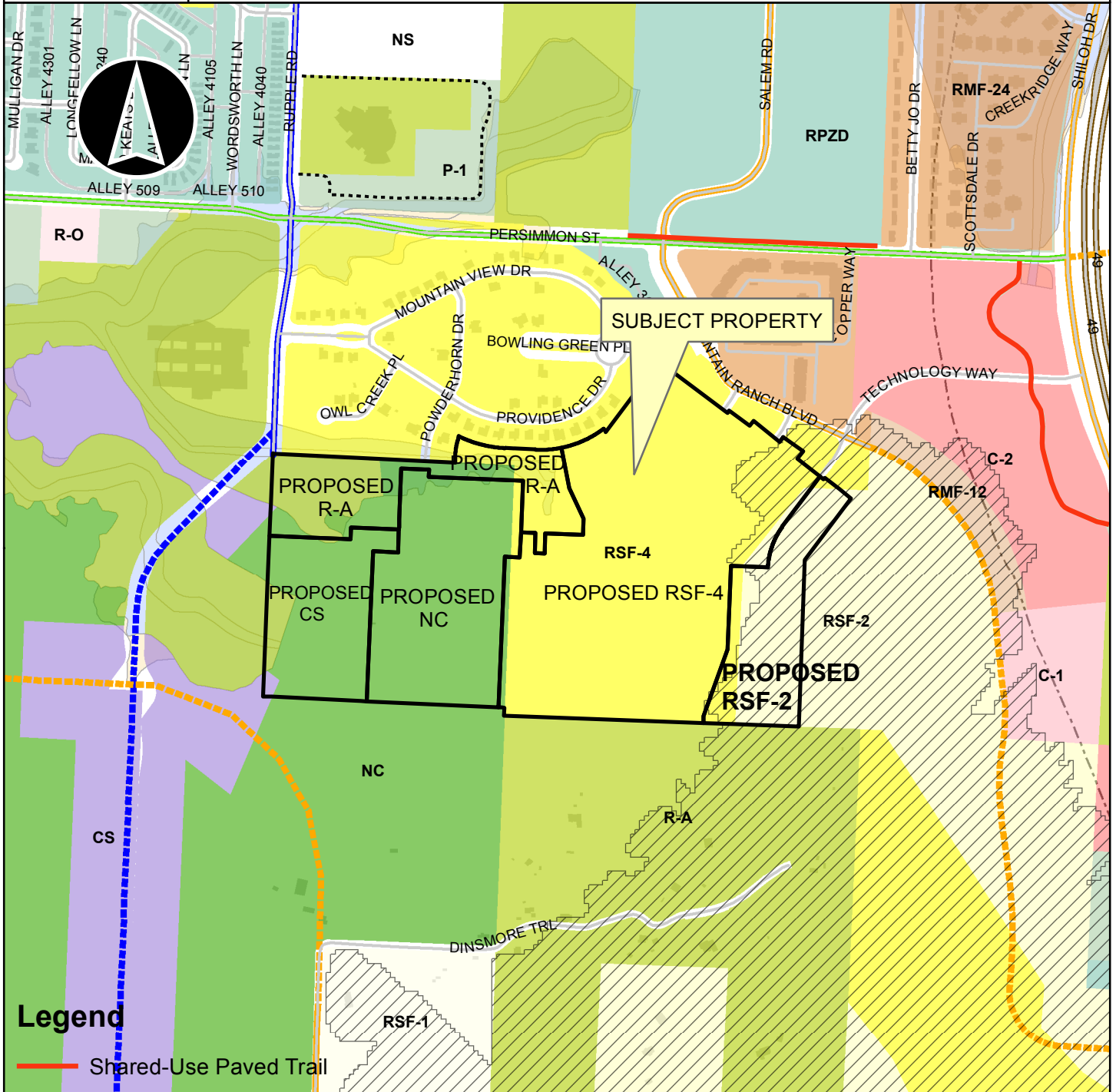
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RZN15-5174

STRIKER DEVELOPMENT

Close Up View



Legend

Shared-Use Paved Trail

Neighborhood/Park Trail

Natural Surface Trail

RZN15-5174

Hillside-Hilltop Overlay District

Fayetteville City Limits

Footprints 2010

Zoning	Existing	Proposed
R-A	5.52 acres	11.81 acres
RSF-2	9.79 acres	10.93 acres
RSF-4	52.25 acres	47.24 acres
NC	33.93 acres	19.84 acres
CS	0.22 acres	11.88 acres

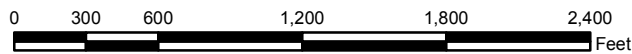


EXHIBIT 'B'

15-5174

LEGAL DESCRIPTION: (PROPOSED ZONING: RA)

A part of the SE1/4 of the NE1/4 and a part of the NE1/4 of the NE1/4 of Section 13, T16N, R31W and a part of the NW1/4 of the NW1/4 and a part of the SW1/4 of the NW1/4 of Section 18, T16N, R30W in Washington County, Arkansas and being described as follows: Beginning at the NW Corner of said SE1/4, NE1/4, said point being the POINT OF BEGINNING, thence S87°12'08"E 990.46 feet, thence along a non tangent curve to the right 144.65 feet, said curve having a radius of 329.70 feet and chord bearing and distance of N08°01'00"E 143.49 feet, thence S66°12'21"E 21.71 feet, thence along a non tangent curve to the left 240.42 feet, said curve having a radius of 660.00 feet and chord bearing and distance of S76°38'30"E 239.09 feet, thence S87°04'38"E 163.35 feet, thence along a curve to the left 140.34 feet, said curve having a radius of 565.27 feet and a chord bearing and distance of N85°48'37"E 139.98 feet, thence S11°27'25"E 224.91 feet, thence S25°07'17"E 182.41 feet, thence S02°19'56"W 88.23 feet, thence N87°40'04"W 205.07 feet, thence S02°19'56"W 110.00 feet, thence N87°40'04"W 52.82 feet, thence N02°19'56"E 110.00 feet, thence N87°40'04"W 80.00 feet, thence N02°19'56"E 280.00 feet, thence N87°40'04"W 511.61 feet, thence N02°19'56"E 40.20 feet, thence N87°40'04"W 150.00 feet, thence S02°19'56"W 330.20 feet, thence N87°40'04"W 260.66 feet, thence S02°19'56"W 64.94 feet, thence N87°40'04"W 439.48 feet, thence N02°19'56"E 448.19 feet to the POINT OF BEGINNING: Containing 11.81 acres more or less subject to easements and right of way of record.

LEGAL DESCRIPTION: (PROPOSED ZONING RSF-2)

A part of the SW1/4 of the NW1/4 and a part of the NW1/4 of the NW1/4 of Section 18, T16N, R30W in Washington County, Arkansas, and being described as follows: Commencing at the SW Corner of said SW1/4, NW1/4, thence S87°56'51"E 1,081.92 feet to the POINT OF BEGINNING, thence N02°19'56"E 36.18 feet, thence N19°46'16"E 385.77 feet, thence N02°19'56"E 453.57 feet, thence S87°40'04"E 198.82 feet, thence along a non tangent curve to the right 237.77 feet, said curve having a radius of 400.00 feet and chord bearing and distance of N19°44'21"E 234.29 feet, thence N36°46'06"E 339.97 feet, thence S51°14'45"E 25.00 feet, thence N38°45'15"E 12.24 feet, thence S51°14'45"E 181.40 feet, thence S36°46'06"W 416.81 feet, thence S02°03'09"W 902.75 feet, thence N87°56'51"W 518.83 feet to the POINT OF BEGINNING: Containing 10.93 acres more or less subject to easements and right of way of record.

LEGAL DESCRIPTION: (PROPOSED ZONING RSF-4)

A part of the SE1/4 of the NE1/4 of Section 13, T16N, R31W and a part of the SW1/4 of the NW1/4 and a part of the NW1/4 of the NW1/4 of Section 18, T16N, R30W in Washington County, Arkansas and being described as follows: Beginning at the SE Corner of said SE1/4, NE1/4 of Section 13, said point being the POINT OF BEGINNING, thence N87°18'19"W 31.69 feet, thence N02°19'56"E 818.69 feet, thence S87°40'04"E 82.26 feet, thence N02°19'56"E 135.00 feet, thence S87°40'04"E 80.00 feet, thence S02°19'56"W 110.00 feet, thence S87°40'04"E 52.82 feet, thence N02°19'56"E 110.00 feet, thence S87°40'04"E 205.07 feet, thence N02°19'56"E 88.23 feet, thence N25°07'17"W 182.41 feet, thence N11°27'25"W 224.91 feet, thence along a non tangent curve to the left 252.97 feet, said curve having a radius of 565.27 feet

EXHIBIT 'B'

15-5174

and chord bearing and distance of N65°52'39"E 250.86 feet, thence S34°09'34"E 22.76 feet, thence N36°44'43"E 306.07 feet, thence N61°29'33"E 189.51 feet, thence S53°13'54"E 386.46 feet, thence N36°46'06"E 15.53 feet, thence S53°13'54"E 138.64 feet, thence N38°45'15"E 34.36 feet, thence S51°14'45"E 181.43 feet, thence N38°45'15"E 5.68 feet, thence along a curve to the left 27.77 feet, said curve having a radius of 525.00 feet and a chord bearing and distance of N37°14'19"E 27.77 feet, thence S54°16'37"E 132.35 feet, thence S38°45'15"W 49.84 feet, thence S51°14'45"E 156.43 feet, thence S36°46'06"W 339.97 feet, thence along a curve to the left 237.77 feet, said curve having a radius of 400.00 feet and a chord bearing and distance of S19°44'21"W 234.29 feet, thence N87°40'04"W 198.82 feet, thence S02°19'56"W 453.57 feet, thence S19°46'16"W 385.77 feet, thence S02°19'56"W 36.18 feet, thence N87°56'51"W 1,081.92 feet, thence N02°03'30"E 44.17 feet to the POINT OF BEGINNING: Containing 47.24 acres more or less subject to easements and right of way of record.

LEGAL DESCRIPTION: (PROPOSED ZONING NC)

A part of the SE1/4 of the NE1/4 of Section 13, T16N, R31W and a part of the SW1/4 of the NW1/4 of Section 18, T16N, R30W in Washington County, Arkansas, and being described as follows: Commencing at the SE Corner of said SE1/4, NE1/4 of Section 13, thence N87°18'19"W 31.69 feet to the POINT OF BEGINNING; thence N87°18'19"W 715.01 feet, thence N02°19'56"E 814.16 feet, thence S87°40'04"E 135.66 feet, thence N02°19'56"E 455.20 feet, thence S87°40'04"E 150.00 feet, thence S02°19'56"W 40.20 feet, thence S87°40'04"E 511.61 feet, thence S02°19'56"W 415.00 feet, thence N87°40'04"W 82.26 feet, thence S02°19'56"W 818.69 feet to the POINT OF BEGINNING: Containing 19.84 acres more or less subject to easements and right of way of record.

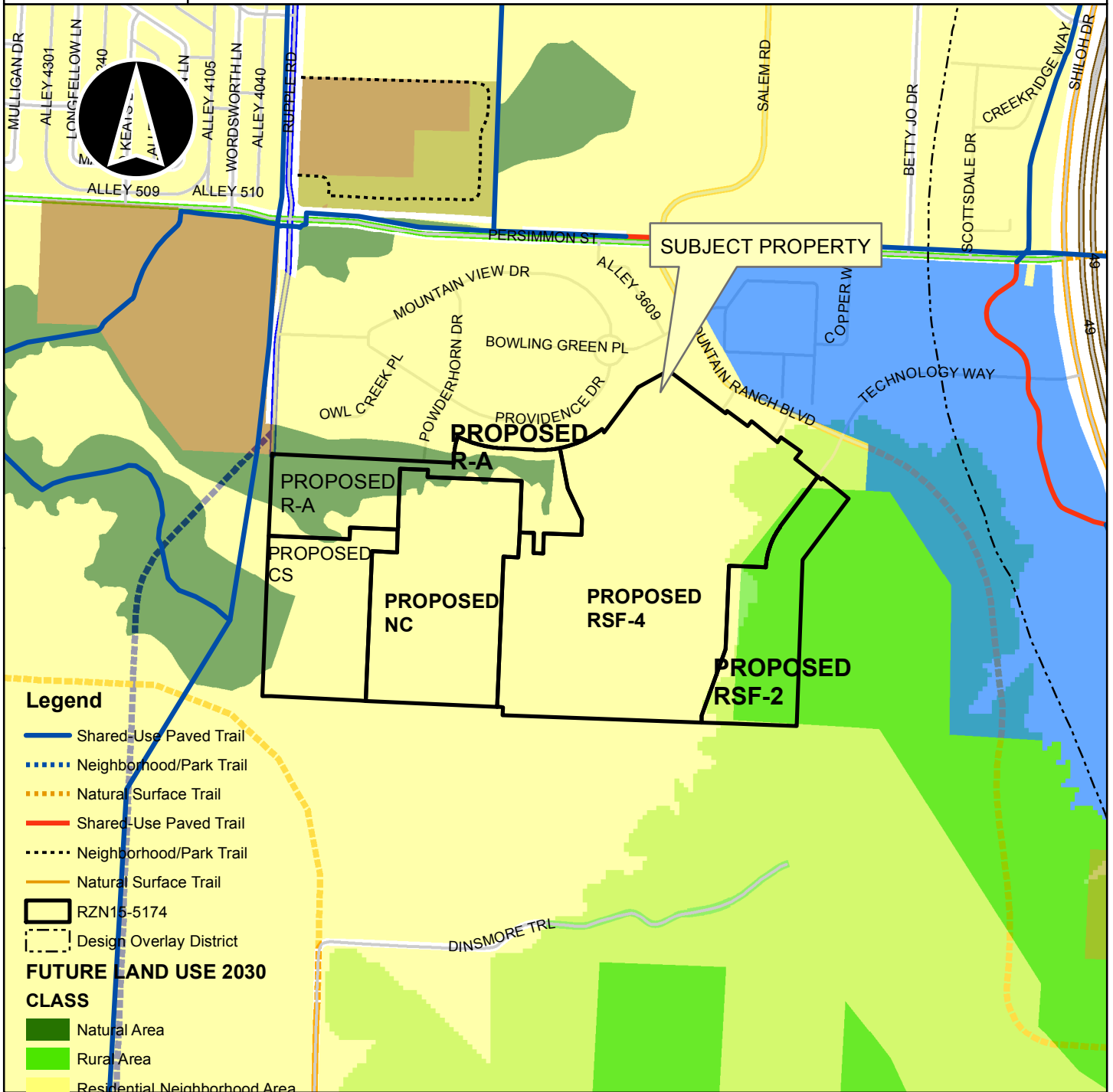
LEGAL DESCRIPTION: (PROPOSED ZONING: CS)

A part of the SE1/4 of the NE1/4 of Section 13, T16N, R31W in Washington County, Arkansas and being described as follows: Beginning at the SW Corner of said SE1/4, NE1/4, said point being the POINT OF BEGINNING, thence N02°19'56"E 870.64 feet, thence S87°40'04"E 439.48 feet, thence N02°19'56"E 64.94 feet, thence S87°40'04"E 260.66 feet, thence S02°19'56"W 100.00 feet; thence S02°19'56"W 25.00 feet, thence N87°40'04"W 135.66 feet, thence S02°19'56"W 814.16 feet, thence N87°18'19"W 564.49 feet to the POINT OF BEGINNING: Containing 11.88 acres more or less subject to easements and right of way of record.

RZN15-5174

STRIKER DEVELOPMENT

Future Land Use



Legend

- Shared-Use Paved Trail
- ⋯ Neighborhood/Park Trail
- ⋯ Natural Surface Trail
- Shared-Use Paved Trail
- ⋯ Neighborhood/Park Trail
- Natural Surface Trail
- RZN15-5174
- Design Overlay District

FUTURE LAND USE 2030

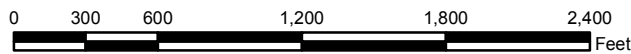
CLASS

- 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

Zoning

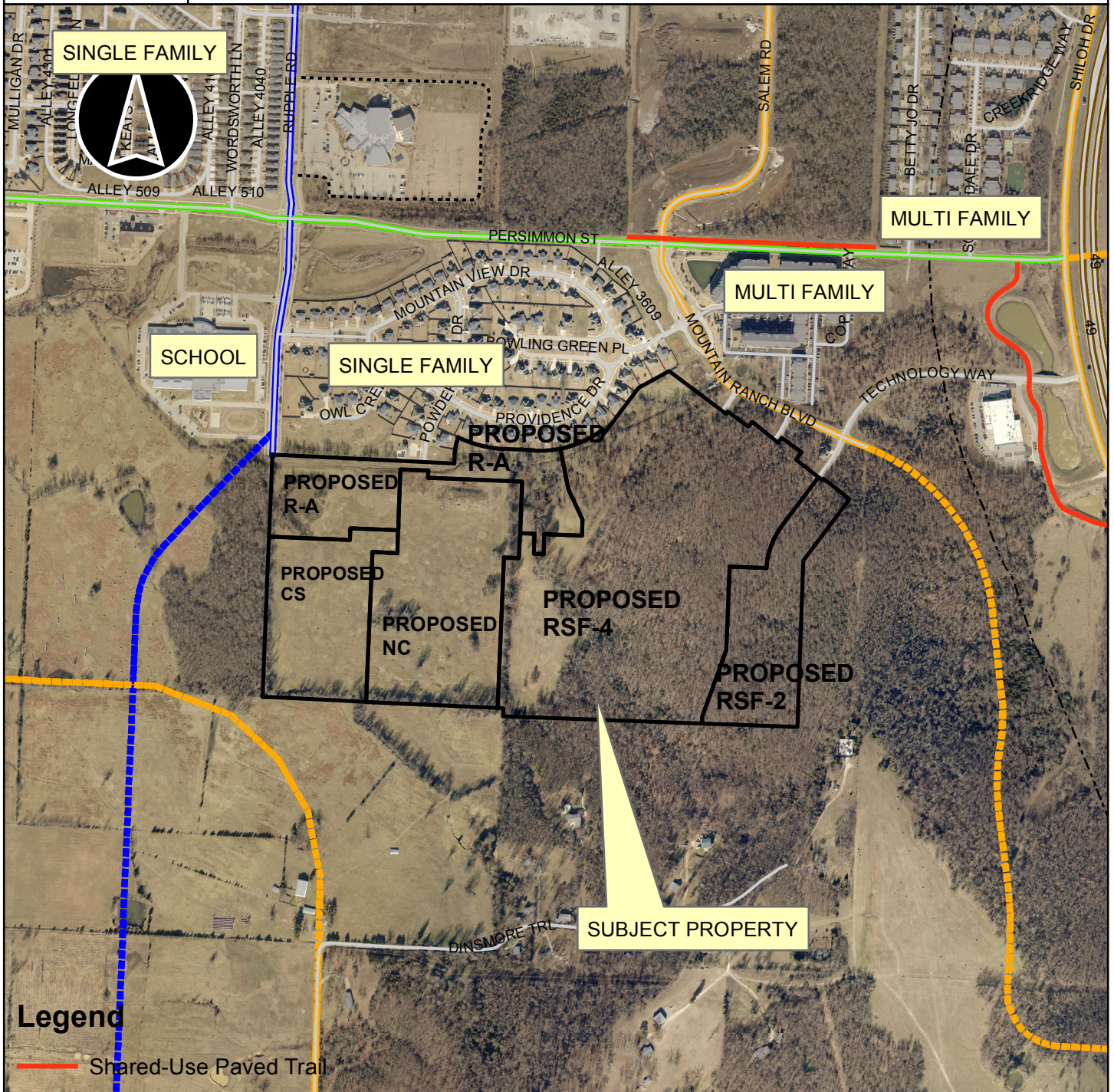
R-A	Existing 5.52 acres	Proposed 11.81 acres
RSF-2	9.79 acres	10.93 acres
RSF-4	52.25 acres	47.24 acres
NC	33.93 acres	19.84 acres
CS	0.22 acres	11.88 acres



RZN15-5174

STRIKER DEVELOPMENT

Current Land Use



Legend

Shared-Use Paved Trail

Neighborhood/Park Trail

Natural Surface Trail

RZN15-5174

Fayetteville City Limits

Footprints 2010

Design Overlay District

Zoning

R-A

RSF-2

RSF-4

NC

CS

Existing

5.52 acres

9.79 acres

52.25 acres

33.93 acres

0.22 acres

Proposed

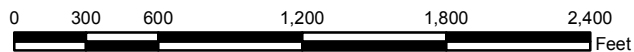
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10.93 acres

47.24 acres

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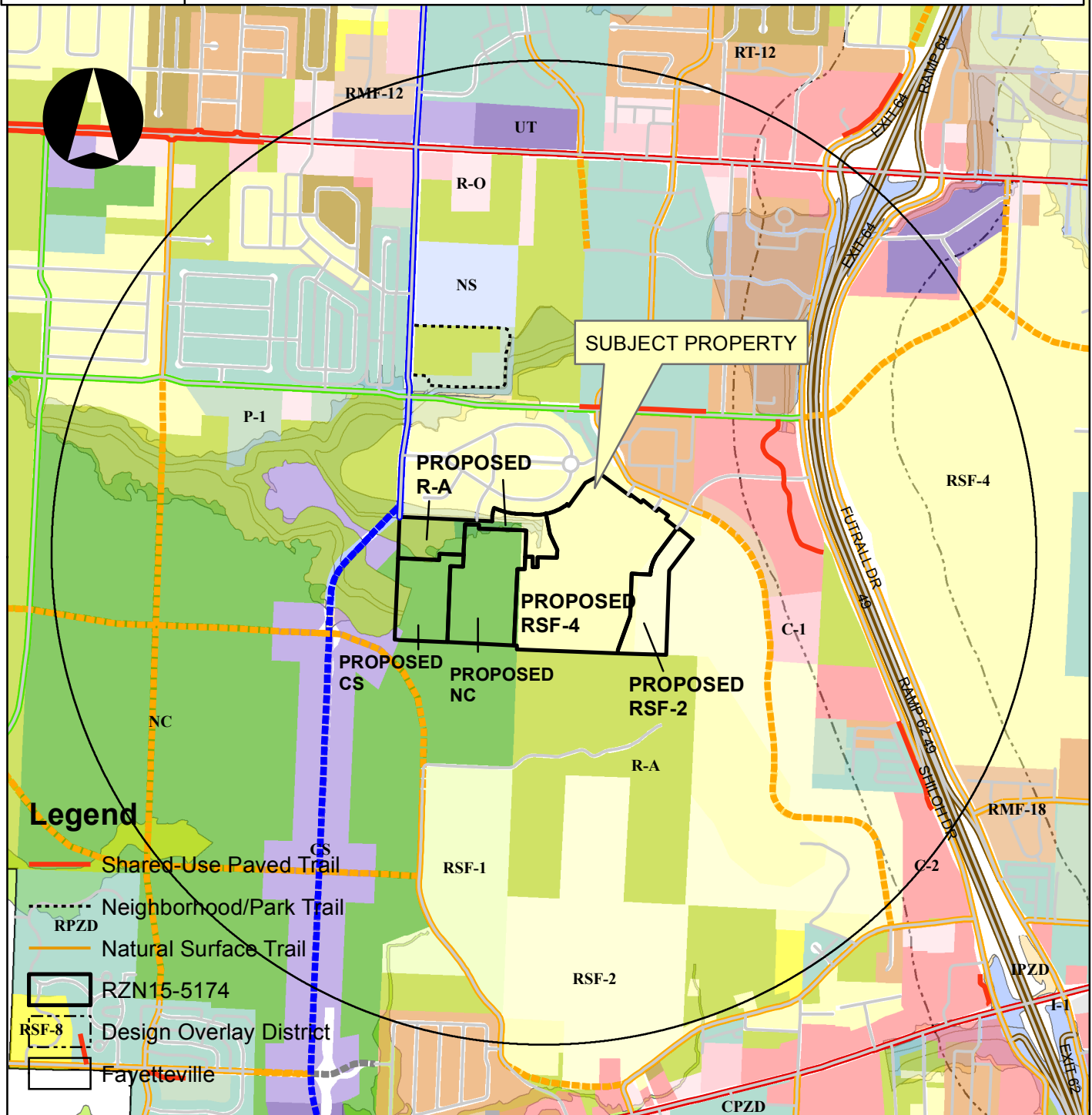
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RZN15-5174

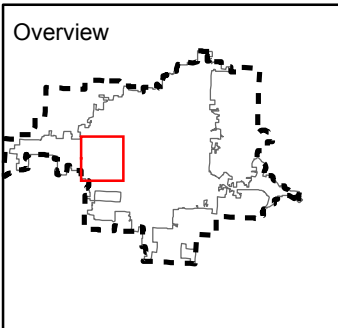
STRIKER DEVELOPMENT

One Mile View



Legend

- Shared-Use Paved Trail
- Neighborhood/Park Trail
- Natural Surface Trail
- RZN15-5174
- Design Overlay District
- Fayetteville



Zoning	Existing	Proposed
R-A	5.52 acres	11.81 acres
RSF-2	9.79 acres	10.93 acres
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