City of Fayetteville Staff Review Form

2018-0304

Legistar File ID

6/19/2018

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

Garner Stoll  6/1/2018  City Planning / Development Services Department
Submitted By  Submitted Date  Division / Department

Action Recommendation:
RZN 18-6206: Rezone (1760 N. WALNUT AVE./NIEDERMAN, 368): Submitted by ZARA NIEDERMAN for property located at 1760 N. WALNUT AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 0.35 acres. The request is to rezone the property to NC, NEIGHBORHOOD CONSERVATION.

Budget Impact:

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<th>Account Number</th>
<th>Fund</th>
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<table>
<thead>
<tr>
<th>Project Number</th>
<th>Project Title</th>
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<table>
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<tr>
<th>Budgeted Item?</th>
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</tr>
<tr>
<td>Funds Obligated</td>
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</tr>
<tr>
<td>Current Balance</td>
<td>$ -</td>
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<tr>
<th>Does item have a cost?</th>
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<tbody>
<tr>
<td>Item Cost</td>
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<tr>
<td>Budget Adjustment</td>
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<tr>
<td>Remaining Budget</td>
<td>$ -</td>
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</tbody>
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Previous Ordinance or Resolution #  

Original Contract Number:  Approval Date:  

Comments:
MEETING OF JUNE 19, 2018

TO: Mayor, Fayetteville City Council

THRU: Garner Stoll, Development Services Director

FROM: Quin Thompson, Current Planner

DATE: June 1, 2018

SUBJECT: RZN 18-6206: Rezone (1760 N. WALNUT AVE./NIEDERMAN, 368): Submitted by ZARA NIEDERMAN for property located at 1760 N. WALNUT AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 0.35 acres. The request is to rezone the property to NC, NEIGHBORHOOD CONSERVATION.

RECOMMENDATION:
Planning Commission recommends approval of an ordinance to rezone the subject property to NC, Neighborhood Conservation, as shown in the attached Exhibits ‘A’ and ‘B’.

BACKGROUND:
The subject property is located at 1760 N. Walnut Avenue and contains approximately 0.35 acres and is zoned RSF-4, Residential Single-family. The lot is within the Hillside-Hilltop Overlay District and contains a 1,760 square-foot home built in 1967. This section of Walnut Avenue is a two-lane ‘Collector Street’ that acts as a high-volume east-west connection.

Request: The request is to rezone the property from RSF-4, Residential Single-family 4 units per acre to NC, Neighborhood Conservation. The applicant indicates that the intent is facilitate re-development of the site.

Land Use Compatibility: The proposed zoning is compatible with the surrounding residential land uses, and although this zoning does allow a variety of building types, only single-family dwellings are allowed by right. The proposed zoning allows reduced lot sizes when compared to the surrounding neighborhood, but in staff opinion the change is not so radical as to create an incompatible development pattern.

Land Use Plan Analysis: The proposed zoning is consistent with the Future Land Use Map (FLUM) designation as a residential area, and with the City Plan 2030 goals including making the traditional town form the standard, and encouraging appropriate infill development. The Residential Neighborhood Area designation calls for a variety of housing scales and types throughout the residential areas, which the NC zoning district allows.
DISCUSSION:
On May 29, 2018, the Planning Commission forwarded the proposal to City Council with a recommendation for approval of the request by a vote of 6-0-1 (Niederman recused). At that meeting, multiple property owners spoke in opposition to the rezone saying that this steep property was not suitable for NC zoning and that there are dangerous traffic conditions on adjacent streets that would be compounded by increased density of development.

BUDGET/STAFF IMPACT:
N/A

Attachments:
- Exhibit A
- Exhibit B
- Planning Commission Staff Report
Proposed NC
ASH ST
WHEELER AVE
RAYVIEW DR
WALNUT AVE
SYCAMORE ST
COLLEGE AVE
RSF-4
C-2
R-O
Legend
Hillside-Hilltop Overlay District
Planning Area
Fayetteville City Limits
Trail (Proposed)
Building Footprint
Subject Property
Proposed NC
RSF-4
NORTH

Legend
Hillside-Hilltop Overlay District
Planning Area
Fayetteville City Limits
Trail (Proposed)
Building Footprint

Zoning  Acres
NC  0.4
Total  0.4

Subject Property

1 inch = 200 feet

0 75 150 300 450 600
1760 N Walnut Ave Rezoning Request

Legal Description:
Lot 2, McClelland's Addition to the City of Fayetteville, Washington County, Arkansas.
TO: City of Fayetteville Planning Commission
THRU: Andrew Garner, City Planning Director
FROM: Quin Thompson, Planner
MEETING DATE: May 29, 2018
SUBJECT: RZN 18-6206: Rezone (1760 N. WALNUT AVE./NIEDERMAN, 368): Submitted by ZARA NIEDERMAN for property located at 1760 N. WALNUT AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 0.35 acres. The request is to rezone the property to NC, NEIGHBORHOOD CONSERVATION.

RECOMMENDATION:
Staff recommends forwarding RZN 18-6206 to the City Council with a recommendation of approval, based on the findings herein.

RECOMMENDED MOTION: "I move to forward RZN 18-6206 to the City council with a recommendation for approval."

BACKGROUND:
The subject property is located at 1760 N. Walnut Avenue and contains approximately 0.35 acres and is zoned RSF-4, Residential Single-family. The lot is within the Hillside-Hilltop Overlay District and contains a 1,760 square-foot home built in 1967. This section of Walnut Avenue is a two-lane ‘Collector Street’ that acts as a high-volume east-west connection. The surrounding land use and zoning is depicted on Table 1.

Table 1

<table>
<thead>
<tr>
<th>Direction from Site</th>
<th>Land Use</th>
<th>Zoning</th>
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<tbody>
<tr>
<td>North</td>
<td>Residential Single-family</td>
<td>RSF-4, Residential Single-family</td>
</tr>
<tr>
<td>South</td>
<td>Residential Single-family</td>
<td>RSF-4, Residential Single-family</td>
</tr>
<tr>
<td>East</td>
<td>Undeveloped</td>
<td>RSF-4, Residential Single-family</td>
</tr>
<tr>
<td>West</td>
<td>Residential Single-family</td>
<td>RSF-4, Residential Single-family</td>
</tr>
</tbody>
</table>

Request: The request is to rezone the property from RSF-4 to NC.

Public Comment: Staff has not received public comment.
INFRASTRUCTURE:

Streets: The subject parcel has access to North Walnut Avenue. North Walnut Avenue is an improved two-lane asphalt street with sidewalk, curb and gutter, and storm drains. Any street improvements required in these areas would be determined at the time of development proposal.

Water: Public water is available to the site. There is an existing 8-inch main along North Walnut Avenue.

Sewer: Sanitary Sewer is available to the site. There is an existing 10-inch main along North Walnut Avenue. There is also a 6-inch main that runs on the south of the parcel.

Drainage: No portion of this property is identified as Federal Emergency Management Agency regulated floodplains. The parcel lies within the Hillside-Hilltop Overlay District. There are no protected streams on this parcel. There are no hydric soils identified on this parcel. Any additional improvements or requirements for drainage will be determined at time of development.

Fire: The Fire Department did not express concerns with this request.

Police: The Police Department did not comment on this request.

CITY PLAN 2030 FUTURE LAND USE PLAN: City Plan 2030 Future Land Use Map designates this area as Residential Neighborhood Area. These 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.

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: Land Use Compatibility: The proposed zoning is compatible with the surrounding residential land uses, and although this zoning does allow a variety of building types, only single-family dwellings are allowed by right. The proposed zoning allows reduced lot sizes when compared to the surrounding neighborhood, but in staff opinion the change is not so radical as to create an incompatible development pattern.

Land Use Plan Analysis: The proposed zoning is consistent with the Future Land Use Map (FLUM) designation as a residential area, and with the City Plan 2030 goals including making the traditional town form the standard, and encouraging appropriate infill development. The Residential Neighborhood
Area designation calls for a variety of housing scales and types throughout the residential areas, which the NC zoning district allows.

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

Finding: The proposed NC zone would align the allowable land uses with City Plan 2030 goals and the Future Land Use Map, goals including making the traditional town form the standard, and encouraging appropriate infill development. The rezoning will allow the property to be sub-divided into as many as three single-family lots using existing City infrastructure.

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

Finding: The proposed NC zone will likely lead to an increase in traffic over the current RSF-4 zone, however the increase should not appreciably increase potential traffic danger or congestion along Walnut Avenue over the current single-family use within the RSF-4 zoning district. Walnut Avenue does have high traffic volume and is a steep and winding road. These development issues will be considered within project design if the site is redeveloped in the future.

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 zoning is likely to result in a slightly higher density of population, however no undesirable load on public services is anticipated. The Police and Fire Departments have not expressed concerns about the proposed zoning district. The proposed zone would allow the lot to be sub-divided into 3 building lots.

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

RECOMMENDATION: Staff recommends forwarding RZN 18-6206 to the City Council with a recommendation of approval, based on the findings herein.
Planning Commission Action:  ✗ Forward  ☐ Tabled  ☐ Denied

Meeting Date: May 29, 2018

Motion: SCROGGIN, MOTION TO FORWARD WITH A RECOMMENDATION FOR APPROVAL.

Second: BROWN

Vote: 6-0-1, WITH NIEDERMAN RECUSING

BUDGET/STAFF IMPACT:
None

Attachments:

- UDC 161.07 – RSF-4, Residential Single-family/4 units per acre
- UDC 161.29 – NC, Neighborhood Conservation
- Request letter
- One Mile Map
- Close-Up Map
- Current Land Use Map
- Future Land Use Map
1760 N Walnut Ave Rezoning Request

Dear Mr Garner,

I am writing to let you know of my request to rezone 1760 N Walnut Ave from RSF-4 to Neighborhood Conservation. This property, located in a residential neighborhood, is approximately 0.35ac. On the Future Land Use Map, this property is in a Residential Neighborhood Area. By rezoning this property to Neighborhood Conservation, it will remain residential. However, Neighborhood Conservation allows for a denser development pattern than RSF-4.

The existing structure has significant foundation problems and was deemed by Powerlift Foundation Co that it was not cost-effective to repair the foundation. The house sits on a steep hill with two empty lots on the uphill (east) side (See Figure 1). These lots do not have street access and therefore are not readily developable. Therefore, new construction should not will not impact anyone’s views. There is one house to the north which may have some impact due to a new house being closer to the property line, however the side setbacks are the same for RSF-4 and NC (5’) and there is currently a 10’ easement on the north side (5’ on each side of the property line). On the south side, there is a 50’ easement (25’ on each side of the property line), so there should be minimal impact to that neighbor as well. To the west (across the street) is a vacant lot.

This property is located just 0.25 miles (by way of sidewalk) from College Avenue and Sycamore, a walkable distance to future Bus Transit (within a pedestrian shed of future Bus Rapid Transit) (see Figure 2). It is also less than 0.5 miles to Evelyn Hills Shopping Center and the VA Hospital (current Ozark Regional Transit Stop), Woodland Jr. High and Gregory Park. It is within walking distance to numerous other commercial services. Because of this proximity to existing services, this is an ideal location for appropriate infill (City Plan 2030 Goal #1).

![Figure 1 Site Location, Neighbors, Topography and Easements](image-url)
Figure 2 Proximity to Services with Sidewalks Shown

1760 Walnut
Legend
- Planning Area
- Fayetteville City Limits
- Shared Use Paved Trail
- Trail (Proposed)
- Design Overlay District
- Building Footprint
- Subject Property

Planning Commission
May 29, 2018
Agenda Item 7
18-6206 Niederman
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