City of Fayetteville Staff Review Form

2022-1078

Legistar File ID

12/6/2022

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Jonathan Curth	11/18/2022	DEVELOPMENT REVIEW (630)
Submitted By	**Submitted Date**	**Division / Department**

Action Recommendation:

RZN-2022-0048: Rezone (1657 N. VANDEVENTER AVE./OSBORNE, 406): Submitted by HALL ESTILL LAW FIRM for property located at 1657 N. VANDEVENTER AVE. in WARD 2. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, 4 UNITS PER ACRE and contains approximately 0.67 acres. The request is to rezone the property to RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE.

Budget Impact:

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

V20210527

Purchase Order Number:

Previous Ordinance or Resolution #

Change Order Number:

Approval Date:

Original Contract Number:

Comments:

CITY OF FAYETTEVILLE ARKANSAS

CITY COUNCIL MEMO

MEETING OF DECEMBER 6, 2022

TO: Mayor; Fayetteville City Council

THRU: Susan Norton, Chief of Staff
Jonathan Curth, Development Services Director
Jessie Masters, Development Review Manager

FROM: Gretchen Harrison, Planner

DATE: November 18, 2022

SUBJECT: **RZN-2022-0048: Rezone (1657 N. VANDEVENTER AVE./OSBORNE, 406):** Submitted by HALL ESTILL LAW FIRM for property located at 1657 N. VANDEVENTER AVE. in WARD 2. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, 4 UNITS PER ACRE and contains approximately 0.67 acres. The request is to rezone the property to RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE.

RECOMMENDATION:
City Planning staff and the Planning Commission recommend approval of a request to rezone the subject property as described and shown in the attached Exhibits 'A' and 'B'.

BACKGROUND:
The subject property contains two parcels totaling 0.67 acres just southwest of the intersection of Sycamore Street and Vandeventer Avenue. The property is largely covered by tree canopy and currently developed with one single-family dwelling which was built in 1956. The northern portion of the property is fairly steep with a grade in excess of 30%, and most of the property is located within the Hillside/Hilltop Overlay District.

Request: The request is to rezone the property from RSF-4, Residential Single-Family, 4 Units per Acre to RMF-24, Residential Multi-Family, 24 Units per Acre.

Public Comment: Staff received several inquiries about this request and one phone call from a neighbor who expressed concerns about increased density. Prior to the November 14th Planning Commission meeting but after publication of the staff report, staff received an email from a neighbor who shared their opposition to the request due to the potential for increased traffic along Vandeventer Avenue.

Land Use Compatibility: Staff finds the proposed rezoning to be generally compatible with surrounding land uses. While there are only one- and two-family dwellings immediately adjacent to the subject property, the surrounding neighborhood includes a broad mix of residential dwelling types in a variety of densities. A rezoning from RSF-4 to RMF-24 would expand the variety of housing types permitted by right to include everything from single-family to multi-family dwellings, which is consistent with the current development and zoning pattern in the area. While an incremental rezoning to an intermediate zoning district may be more suitable given the topography

of the site and the unimproved condition of Vandeventer Avenue, staff finds the proposed rezoning to be justified given the property's proximity to multi-family dwellings, nonresidential uses, and prominent thoroughfares. Staff also finds that the bulk and area regulations are suitable and not out of context with the surrounding area. Several adjacent properties along Sycamore Street are developed with buildings that do not meet the conventional front setback of the RSF-4 zoning district, so rezoning to a district that allows a 0- to 25-foot build-to zone would allow for development that could contribute to a moderately uniform line of buildings along the street. A rezoning from RSF-4 to RMF-24 would also increase the building height maximum from three to five stories, though staff finds that this increase would not be out of scale with the subject property given its slope. Further, staff finds increasing the variety of building types and densities to be appropriate on a corner lot with frontage on a Neighborhood Link street, since it is less likely to disturb an established residential neighborhood.

Land Use Plan Analysis: Staff finds the proposed rezoning to be generally consistent with the City's future land use plans. The City Plan 2040 Future Land Use Map designates the subject property as both Residential Neighborhood and City Neighborhood area. Staff finds that the proposed RMF-24 zoning is consistent with those classifications since it would allow for a wider spectrum of residential housing types and densities than what is currently allowed, near prominent thoroughfares and nonresidential uses. Staff finds that a rezoning to RMF-24 is also consistent with Goals 4 and 6 City Plan 2040. Development under the RMF-24 zoning district could encourage a livable transportation network by offering occupants' access to the nearby Razorback Greenway and public transit stops and could provide more opportunities for housing beyond what would be permitted in the existing single-family zoning district.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a score range between 8 and 9 for this site. The following elements of the matrix contribute to the score:

- 4 Minute Fire Response (Station 2, 708 N. Garland Ave.)
- Near Sewer Main (6" main, Sycamore Street and on site)
- Near Water Main (2.25" and 8" main, Vandeventer Avenue and Sycamore Street)
- Near Public School (Woodland Junior High)
- Near City Park (Gregory Park)
- Near Paved Trail (Sycamore Street, Razorback Greenway)
- Near ORT Bus Stop (Route 10)
- Near Razorback Bus Stop (Route 26)
- Appropriate Future Land Use (City Neighborhood Area)

DISCUSSION:
At the November 14, 2022 Planning Commission meeting, a vote of 7-0-0 forwarded the request to City Council with a recommendation of approval. Commissioner Garlock made the motion and Commissioner Johnson seconded. Commissioners offered little comment, finding the request to be consistent with the City's land use plans and policies. One member of the public attempted to speak at the meeting though technical issues prevented them from doing so. No public comment was offered otherwise.

BUDGET/STAFF IMPACT:
N/A

ATTACHMENTS:

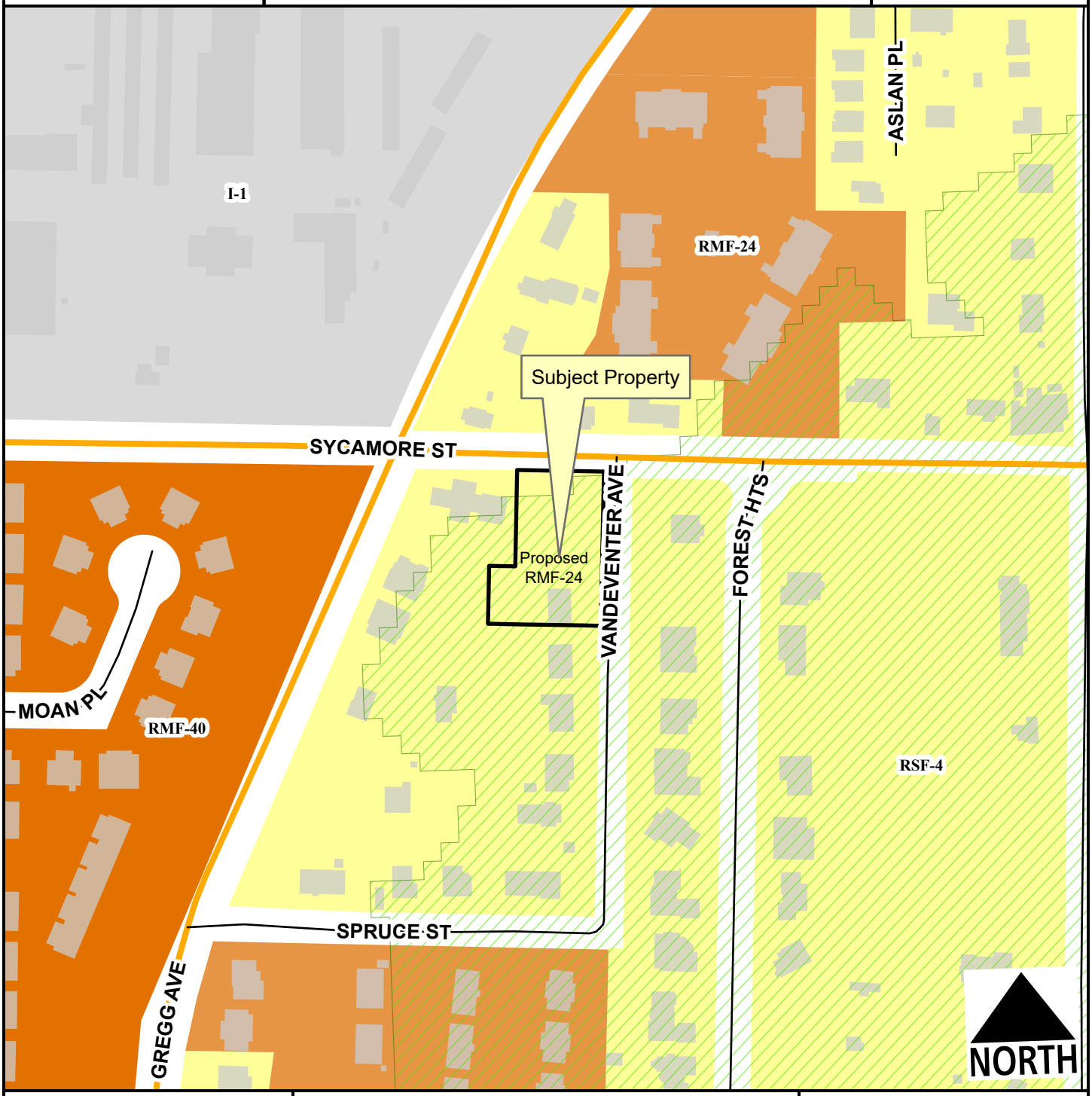
- Exhibit A
- Exhibit B
- Planning Commission Staff Report

RZN-2022-0048

Close Up View

1657 N. VANDEVENTER AVE

RZN-2022-0048
EXHIBIT 'A'



- Neighborhood Link
- Unclassified
- Residential Link
- Hillside-Hilltop Overlay District
- Planning Area
- Fayetteville City Limits

Feet

0 75 150 300 450 600

1:2,400

Zoning	Acres
RMF-24	0.7
Total	**0.7**

RZN-2022-0048
EXHIBIT 'B'

REZONE DESCRIPTION:

TRACT 1: THE NORTH EIGHTY (80) FEET OF LOT NUMBERED EIGHT (8), SEAMSTER PLACE ADDITION TO THE CITY OF FAYETTEVILLE, ARKANSAS, ALSO BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT EIGHT (8), SAID POINT BEING A SET 1/2" IRON REBAR; THENCE S00°06'50"E 80.00 FEET ALONG THE EAST LINE OF SAID LOT EIGHT (8) TO A SET 1/2" IRON REBAR; THENCE S89°40'38"W 157.47 FEET (PLAT = 156 FEET) TO A SET 1/2" IRON REBAR; THENCE N01°07'47"E 25.09 FEET TO AN EXISTING IRON REBAR; THENCE N00°59'59"E 54.90 FEET TO AN EXISTING IRON REBAR; THENCE N89°22'22"E 35.86 FEET TO AN EXISTING IRON REBAR; THENCE N89°45'19"E 120.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.29 ACRES, MORE OR LESS.

TRACT 2: THE EAST ONE HUNDRED TWENTY (120) FEET OF LOT NUMBERED NINE (9), SEAMSTER PLACE ADDITION TO THE CITY OF FAYETTEVILLE, ARKANSAS, ALSO BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT NINE (9), SAID POINT BEING A CHISLED 'X' IN A CONCRETE CURB; THENCE S00°06'50"E 139.24 FEET (PLAT = 140 FEET) TO A SET 1/2" IRON REBAR AT THE SOUTHEAST CORNER OF SAID LOT NINE (9); THENCE S89°45'19"W 120.00 FEET TO AN EXISTING IRON REBAR; THENCE N00°06'49"W 139.75 FEET (PLAT = 140 FEET) TO AN EXISTING IRON REBAR; THENCE EAST 120.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.38 ACRES, MORE OR LESS.

CITY OF FAYETTEVILLE ARKANSAS

PLANNING COMMISSION MEMO

TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Gretchen Harrison, Planner

MEETING DATE: November 14, 2022 (Updated with results from PC hearing)

SUBJECT: **RZN-2022-0048: Rezone (1657 N. VANDEVENTER AVE./OSBORNE, 406):** Submitted by HALL ESTILL LAW FIRM for property located at 1657 N. VANDEVENTER AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, 4 UNITS PER ACRE and contains approximately 0.67 acres. The request is to rezone the property to RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE.

RECOMMENDATION:
Staff recommends forwarding **RZN-2022-0048** to City Council with a recommendation of approval, based on the findings herein.

RECOMMENDED MOTION:
*"I move to forward **RZN-2022-0048** to City Council with a recommendation of approval."*

BACKGROUND:
The subject property contains two parcels totaling 0.67 acres just southwest of the intersection of Sycamore Street and Vandeventer Avenue. The property is largely covered by tree canopy and currently developed with one single-family dwelling which was built in 1956. The northern portion of the property is fairly steep with a grade in excess of 30%, and most of the property is located within the Hillside/Hilltop Overlay District. Surrounding land use and zoning is shown in *Table 1*.

Table 1:
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Single-Family Residential	RSF-4, Residential Single-Family, 4 Units per Acre
South	Single-Family Residential	RSF-4, Residential Single-Family, 4 Units per Acre
East	Single-Family Residential	RSF-4, Residential Single-Family, 4 Units per Acre
West	Two-Family Residential	RSF-4, Residential Single-Family, 4 Units per Acre

Request: The request is to rezone the property from RSF-4, Residential Single-Family, 4 Units per Acre to RMF-24, Residential Multi-Family, 24 Units per Acre.

Public Comment: Staff received several inquiries about this request and one phone call from a neighbor who expressed their concerns about increased density on this site.

INFRASTRUCTURE:

Streets: The subject property has frontage along Sycamore Street and Vandeventer Avenue. Sycamore is a partially-improved Neighborhood Link street with asphalt paving, partial sidewalk, curb, and gutter; and Vandeventer Avenue is a partially-improved Residential Link street with asphalt paving and open ditches. Any street improvements required in these areas would be determined at the time of development proposal.

Water: Public water is available to the subject property. An existing 2.25-inch water main is present in the center of Vandeventer Avenue, and an eight-inch main is present in the center of Sycamore Street.

Sewer: Sanitary sewer is available to the subject property. Existing six-inch sewer mains are present on the west side of the property and in the center of Sycamore Street.

Drainage: No portion of the subject property lies within a streamside protection zone and no FEMA-designated floodplains or hydric soils are present, though a portion of the property is located within the Hillside/Hilltop Overlay District. Additional restrictions will apply at the time of development. Engineered footing designs will be required at the time of building permit submittal, as well as grading, erosion control and abbreviated tree preservation plans. Any additional improvements or requirements for drainage would be determined at the time of development.

Fire: Station 2, located at 708 N. Garland Ave., protects this site. The property is located approximately 1.4 miles from the fire station with an anticipated drive time of approximately four minutes using existing streets. The anticipated response time would be approximately 6.2 minutes. Fire Department response time is calculated based on the drive time plus one minute for dispatch and 1.2 minutes for turn-out time. Within the City Limits, the Fayetteville Fire Department has a response time goal of six minutes for an engine and eight minutes for a ladder truck. Fire apparatus access and fire protection water supplies will be reviewed for compliance with the Arkansas Fire Prevention Code at the time of development.

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

Tree Preservation:

The requested zoning district, RMF-24, Residential Multi-Family, 24 Units per Acre, requires **20% minimum canopy preservation**. The current zoning district, RSF-4, Residential Single-Family, 4 Units per Acre, requires **25% minimum canopy preservation**. All residential zoning districts within the Hillside/Hilltop Overlay District have their percent minimum canopy requirements increased by **5%**.

CITY PLAN 2040 FUTURE LAND USE PLAN: The City Plan 2040 Future Land Use Plan designates the property within the proposed rezone as **City Neighborhood** and **Residential Neighborhood** area.

City Neighborhood areas are more densely developed than residential neighborhood areas and provide a mix of non-residential and residential uses. This designation supports the widest spectrum of uses and encourages density in all housing types from single-family to multi-family.

Nonresidential and commercial uses are primarily located at street intersections and along major corridors. Ideally, commercial uses would have a residential component and vary in size, variety and intensity. The street network should have a high number of intersections creating a system of small blocks with a high level of connectivity between neighborhoods. Building setbacks and landscaping are urban in form with street trees typically being located within the sidewalk zone.

Residential Neighborhood areas are primarily residential in nature and support a wide variety of housing types of appropriate scale and context: single-family, duplexes, rowhouses, multi-family, and accessory dwelling units. Residential Neighborhood encourages highly connected, compact blocks with gridded street patterns and reduced building setbacks. It also encourages traditional neighborhood development that incorporates low-intensity nonresidential uses intended to serve the surrounding neighborhoods, 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 of the natural environment. Building setbacks may vary depending on the context of the existing neighborhood.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a score range of **8-9** for this site with a weighted score of **11.5** at the highest level. The following elements of the matrix contribute to the score:

- 4 Minute Fire Response (Station 2, 708 N. Garland Ave.)
- Near Sewer Main (6" main, Sycamore Street and on site)
- Near Water Main (2.25" and 8" main, Vandeventer Avenue and Sycamore Street)
- Near Public School (Woodland Junior High)
- Near City Park (Gregory Park)
- Near Paved Trail (Sycamore Street, Razorback Greenway)
- Near ORT Bus Stop (Route 10)
- Near Razorback Bus Stop (Route 26)
- Appropriate Future Land Use (City Neighborhood Area)

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:*** **Staff finds the proposed rezoning to be generally compatible with surrounding land uses. While there are only one- and two-family dwellings immediately adjacent to the subject property, the surrounding neighborhood includes a broad mix of residential dwelling types in a variety of densities. A rezoning from RSF-4 to RMF-24 would expand the variety of housing types permitted by right to include everything from single-family to multi-family dwellings, which is consistent with the current development and zoning pattern in the area. While an incremental rezoning to an intermediate zoning district may be more suitable given the topography of the site and the unimproved condition of Vandeventer Avenue, staff finds the proposed rezoning to be justified given the property's proximity to multi-family dwellings, nonresidential uses, and prominent thoroughfares. Staff also finds that the bulk and area regulations are suitable and not out of context with the surrounding area. Several adjacent properties**

along Sycamore Street are developed with buildings that do not meet the conventional front setback of the RSF-4 zoning district, so rezoning to a district that allows a 0- to 25-foot build-to zone would allow for development that could contribute to a moderately uniform line of buildings along the street. A rezoning from RSF-4 to RMF-24 would also increase the building height maximum from three to five stories, though staff finds that this increase would not be out of scale with the subject property given its slope. Further, staff finds increasing the variety of building types and densities to be appropriate on a corner lot with frontage on a Neighborhood Link street, since it is less likely to disturb an established residential neighborhood.

Land Use Plan Analysis: **Staff finds the proposed rezoning to be generally consistent with the City's future land use plans. The City Plan 2040 Future Land Use Map designates the subject property as both Residential Neighborhood and City Neighborhood area. Staff finds that the proposed RMF-24 zoning is consistent with those classifications since it would allow for a wider spectrum of residential housing types and densities than what is currently allowed, near prominent thoroughfares and nonresidential uses. Staff finds that a rezoning to RMF-24 is also consistent with Goals 4 and 6 City Plan 2040. Development under the RMF-24 zoning district could encourage a livable transportation network by offering occupants' access to the nearby Razorback Greenway and public transit stops and could provide more opportunities for housing beyond what would be permitted in the existing single-family zoning district.**

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

Finding: **Staff finds that there is sufficient justification for rezoning the property to RMF-24 at this time. The request is generally aligned with several goals of City Plan 2040 and consistent with the development and zoning pattern in the surrounding area.**

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

Finding: **Rezoning the property from RSF-4 to RMF-24 has the potential to create or appreciably increase traffic danger and congestion. However, the subject property has access to public trails and transit stops and frontage along two public streets, one of which is classified as a Residential Link, which suggests that an increased number of vehicle trips could be accommodated without increasing danger or congestion in the neighborhood. Any significant traffic impacts would be fully evaluated and mitigated at the time of development review.**

4. A determination as to whether the proposed zoning would alter the population density and thereby undesirably increase the load on public services including schools, water, and sewer facilities.

Finding: **Rezoning the property to RMF-24 has the potential to alter the population density and increase the load on public services, though not to an**

undesirable degree. The size of the property and the City's parking, tree preservation, and stormwater ordinances, will limit the scale of any future development to reduce impacts on natural resources and public services. Fayetteville Public Schools did not comment on this request.

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: Planning staff recommends forwarding RZN-2022-0048 to City Council with a recommendation of approval.

PLANNING COMMISSION ACTION:	**Required**	**YES**	
Date: November 14, 2022	❒ **Tabled**	☒ **Forwarded** with a recommendation of approval	❒ **Denied**
Motion: Garlock			
Second: Johnson			
Vote: 7-0-0			

BUDGET/STAFF IMPACT:
None

ATTACHMENTS:

- Unified Development Code:
  - §161.07 – District RSF-4, Residential Single-Family – Four (4) Units Per Acre
  - §161.16 – District RMF-24, Residential Multi-Family – Twenty-Four (24) Units Per Acre
- Request Letter
- One Mile Map
- Close-Up Map
- Current Land Use Map
- Future Land Use Map
- Public Comment Received After PC Report Publication

161.07 - District RSF-4, Residential Single-Family - Four (4) 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
Unit 46	Short-term rentals

(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 12a	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities
Unit 44	Cluster Housing Development

(C) *Density.*

	Single-family dwellings	Two (2) family dwellings
Units per acre	4 or less	7 or less

(D) *Bulk and Area Regulations.*

	Single-family dwellings	Two (2) family dwellings
Lot minimum width	70 feet	80 feet
Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet
Hillside Overlay District Lot minimum width	60 feet	70 feet
Hillside Overlay District Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet

(E) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	15 feet

(F) *Building Height Regulations*.

Building Height Maximum	3 stories

(G) *Building Area.* On any lot the area occupied by all buildings shall not exceed 40% of the total area of such lot. Accessory ground mounted solar energy systems shall not be considered buildings.

(Code 1991, §160.031; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 4858, 4-18-06; Ord. No. 5028, 6-19-07; Ord. No. 5128, 4-15-08; Ord. No. 5224, 3-3-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5921 , §1, 11-1-16; Ord. No. 5945 , §8, 1-17-17; Ord. No. 6015 , §1(Exh. A), 11-21-17; Ord. No. 6245 , §2, 10-15-19; Ord. No. 6427 , §§1(Exh. C), 2, 4-20-21)

Editor's note— Ord. No. 6427 , § 2, adopted April 20, 2021, "determines that this ordinance and all amendments to Code sections ordained or enacted by this ordinance shall automatically sunset, be repealed, terminated, and become void twenty (20) months after the passage and approval of this ordinance, unless prior to that date, the City Council amends this ordinance to repeal this sunset, repeal and termination section."

161.16 - District RMF-24, Residential Multi-Family - Twenty-Four (24) Units Per Acre

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

(B) *Uses.*

(1) Permitted Uses.

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 26	Multi-family dwellings
Unit 41	Accessory dwellings
Unit 44	Cluster Housing Development
Unit 46	Short-term rentals

(2) *Conditional Uses.*

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

(C) *Density.*

Units per acre	24 or less

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Manufactured home park	100 feet
Lot within a Manufactured home park	50 feet
Single-family	35 feet
Two-family	35 feet
Three or more	70 feet
Professional offices	100 feet

(2) *Lot Area Minimum.*

Manufactured home park	3 acres
Lot within a mobile home park	4,200 square feet

Townhouses: Individual lot	2,000 square feet
Single-family	3,000 square feet
Two (2) family	4,000 square feet
Three (3) or more	7,000 square feet
Fraternity or Sorority	2 acres
Professional offices	1 acres

(3) *Land Area Per Dwelling Unit*.

Manufactured Home	3,000 square feet

(E) *Setback Requirements.*

Front	Side Other Uses	Side Single & Two (2) Family	Rear Other Uses	Rear Single Family
A build-to zone that is located between the front property line and a line 25 feet from the front property line.	8 feet	5 feet	20 feet	5 feet

(F) *Building Height Regulations.*

Building Height Maximum	2 stories/3 stories/5 stories*

* A building or a portion of a building that is located between 0 and 10 feet from the front property line or any master street plan right-of-way line shall have a maximum height of two (2) stories, between 10—20 feet from the master street plan right-of-way a maximum height of three (3) stories and buildings or portions of the building set back greater than 20 feet from the master street plan right-of-way shall have a maximum height of 5 stories.

If a building exceeds the height of two (2) stories, the portion of the building that exceeds two (2) stories shall have an additional setback from any side boundary line of an adjacent single family district. The amount of additional setback for the portion of the building over two (2) stories shall be equal to the difference between the total height of that portion of the building, and two (2) stories.

(G) *Building Area.* The area occupied by all buildings shall not exceed 50% of the total lot area. Accessory ground mounted solar energy systems shall not be considered buildings.

(H) Minimum Buildable Street Frontage. 50% of the lot width.

(Code 1965, App. A., Art. 5(III); Ord. No. 2320, 4-6-77; Ord. No. 2700, 2-2-81; Code 1991, §160.033; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 5028, 6-19-07; Ord. No. 5079, 11-20-07; Ord. No. 5224, 3-3-09; Ord. No. 5262, 8-4-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5495, 4-17-12; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5800 , §1(Exh. A), 10-6-15; Ord. No. 5921 , §1, 11-1-16; Ord. No. 5945 , §§5, 8, 9, 1-17-17; Ord. No. 6015 , §1(Exh. A), 11-21-17; Ord. No. 6245 , §2, 10-15-19; Ord. No. 6427 , §§1(Exh. C), 2, 4-20-21)

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HALL ESTILL
ATTORNEYS AT LAW

Robert K. Rhoads
75 N. East Ave., Suite 500
Fayetteville, AR 72701-5388
Direct Dial: (479) 973-5202
rrhoads@hallestill.com

October 5, 2022

City of Fayetteville Planning Commission
and Planning Department
125 West Mountain Street
Fayetteville, Arkansas 72701

Re: Rezoning of Parcel No. 765-10607-000 & 765-10609-000
1675 Vandeventer, Fayetteville, Arkansas
From RSF-4 to RMF-24

Dear To Whom It May Concern:

This letter is in regard to rezoning parcels 765-10607-000 & 765-10609-000 from their current designation of RSF-4 to RMF-24. The RMF-24 Multi-family Residential District is designed to permit and encourage the developing of a variety of dwelling types in suitable environments in a variety of densities.

Further, RMF-24 is compatible and would fit into the future land use as there are neighboring properties already designated as Multi-Family Residential. Lastly, this rezoning will not unreasonably affect in any adverse way the surrounding land uses.

Very truly yours,

/s/ Robert K. Rhoads

Robert K. Rhoads

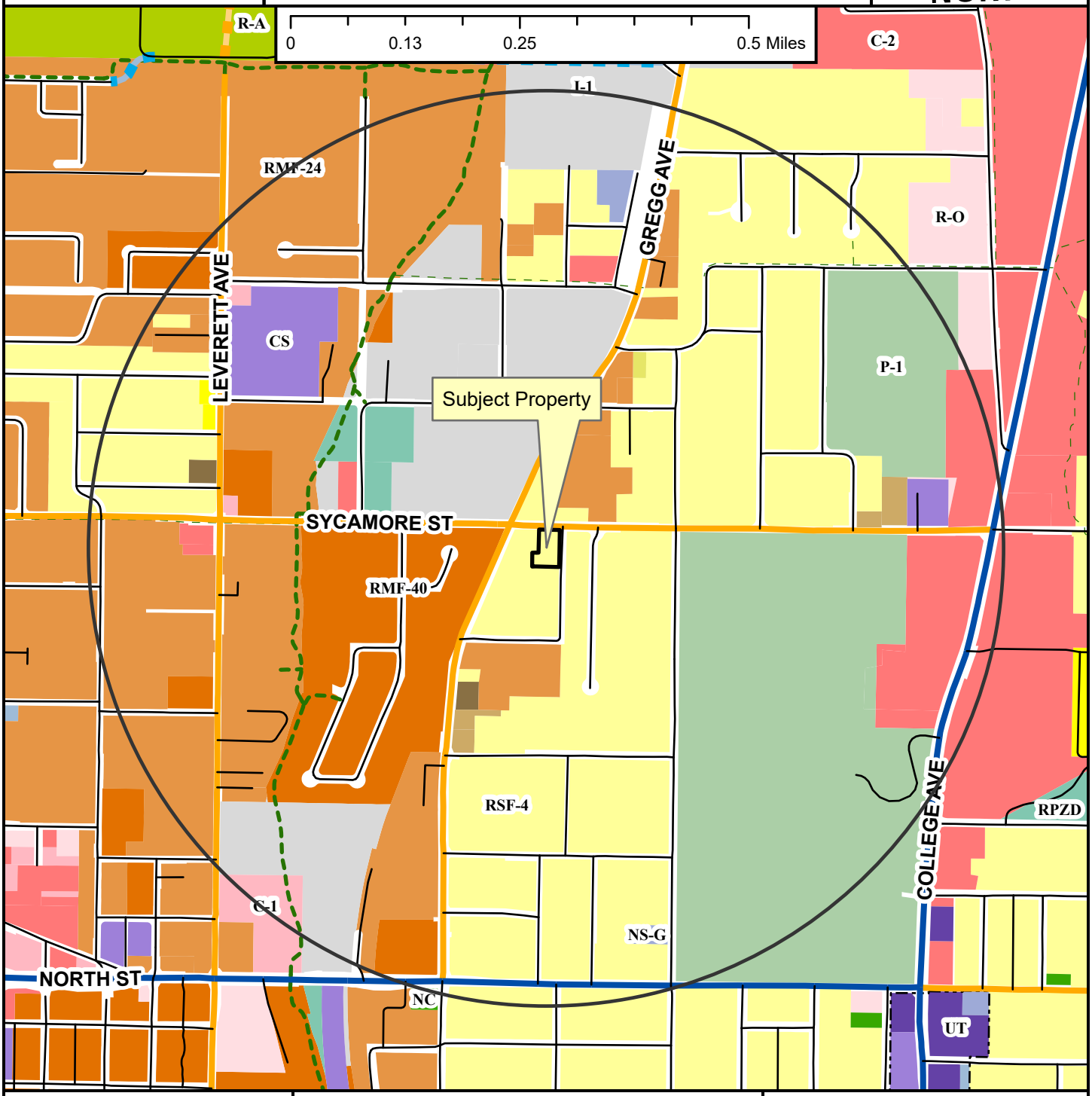
Cc: Client(s)

RZN-2022-0048

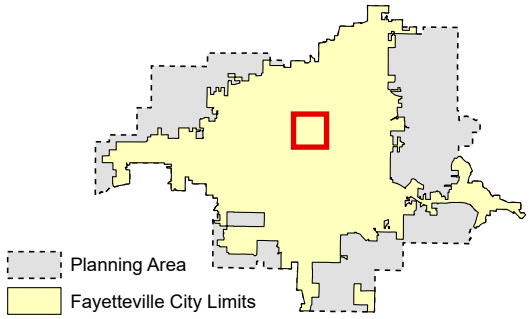
One Mile View

1657 N. VANDEVENTER AVE

NORTH



Regional Link
Neighborhood Link
Institutional Master Plan
Regional Link - High Activity
Unclassified
Alley
Residential Link



Zoning

RESIDENTIAL SINGLE-FAMILY
- NS-G
- RI-U
- RI-12
- NS-L
- Residential-Agricultural
- RSF-.5
- RSF-1
- RSF-2
- RSF-4
- RSF-7
- RSF-8
- RSF-18

RESIDENTIAL MULTI-FAMILY
- RMF-6
- RMF-12
- RMF-18
- RMF-24
- RMF-40

INDUSTRIAL
- I-1 Heavy Commercial and Light Industrial
- I-2 General Industrial

EXTRACTION
- E-1

COMMERCIAL
- Residential-Office
- C-1
- C-2
- C-3

FORM BASED DISTRICTS
- Downtown Core
- Urban Thoroughfare
- Main Street Center
- Downtown General
- Community Services
- Neighborhood Services
- Neighborhood Conservation

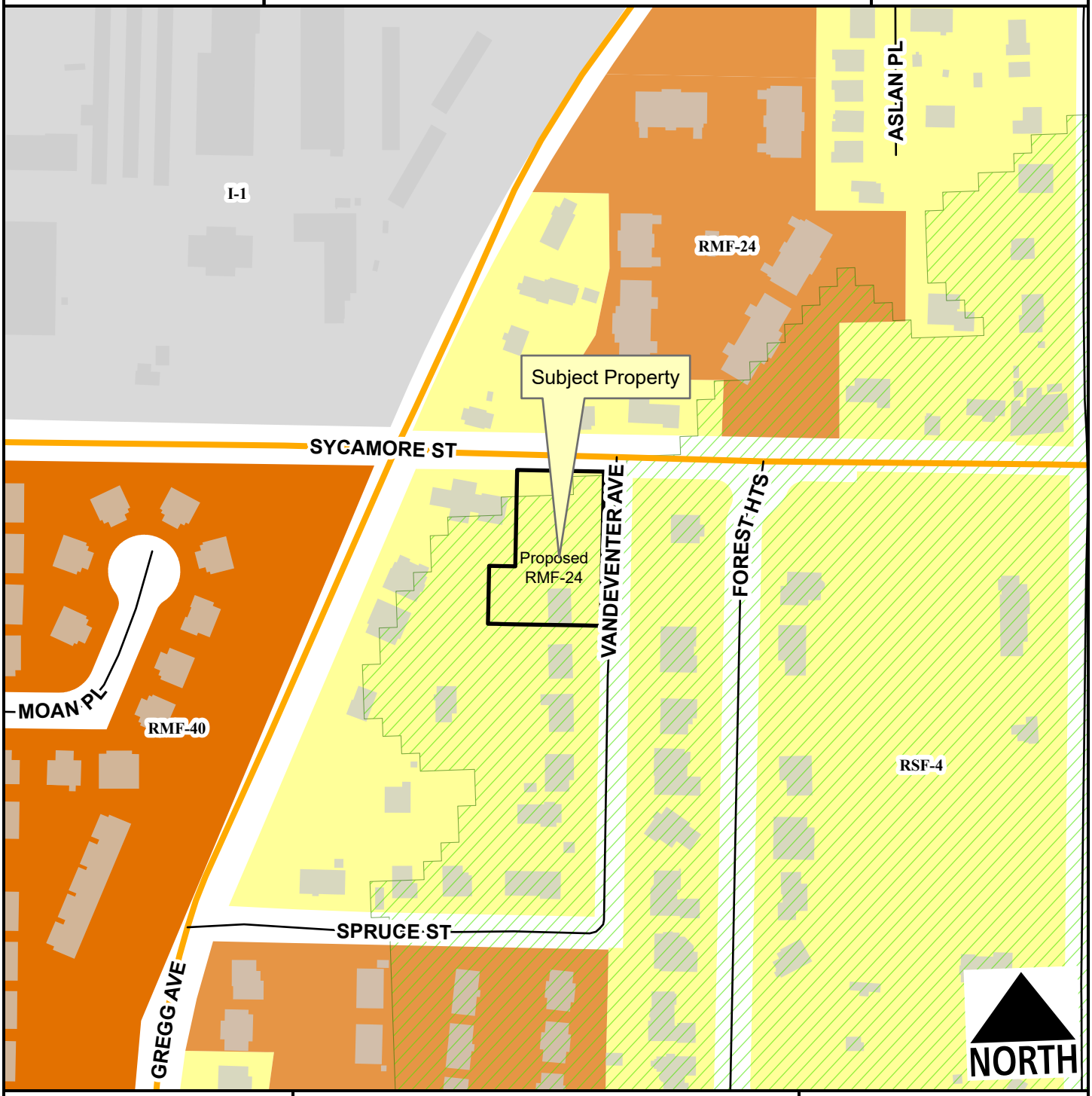
PLANNED ZONING DISTRICTS
- Commercial, Industrial, Residential

INSTITUTIONAL
- P-1

RZN-2022-0048

Close Up View

1657 N. VANDEVENTER AVE



- Neighborhood Link
- Unclassified
- Residential Link
- Hillside-Hilltop Overlay District
- Planning Area
- Fayetteville City Limits

Feet

0 75 150 300 450 600

1:2,400

Zoning	Acres
RMF-24	0.7
Total	**0.7**

RZN-2022-0048

Current Land Use

1657 N. VANDEVENTER AVE

NORTH

Neighborhood Link
Unclassified
Residential Link
Planning Area
Fayetteville City Limits

Feet

0 112.5 225 450 675 900

1:3,600

FEMA Flood Hazard Data

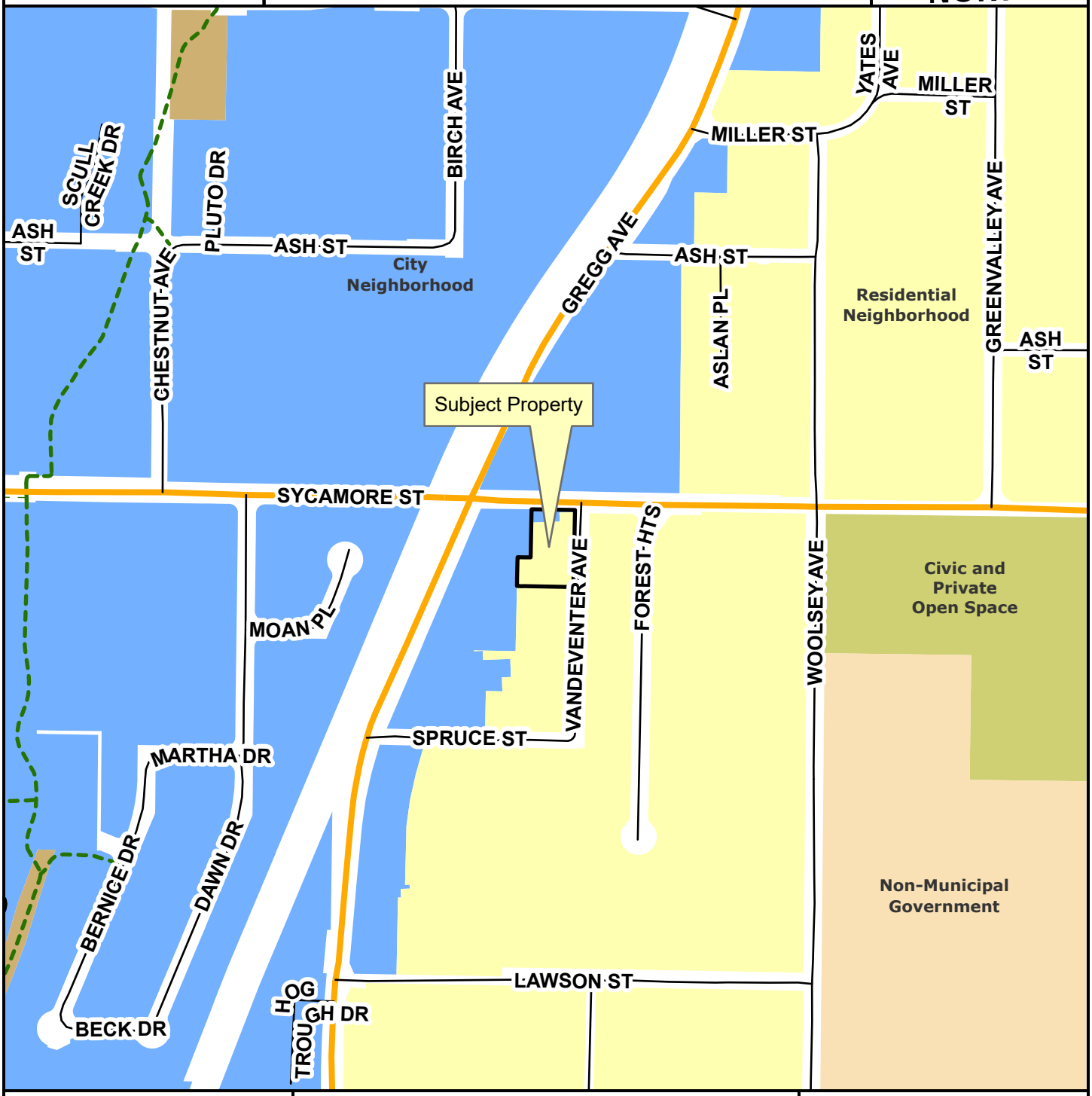
100-Year Floodplain
Floodway

RZN-2022-0048

Future Land Use

1657 N. VANDEVENTER AVE

NORTH



Neighborhood Link
Unclassified
Residential Link
Planning Area
Fayetteville City Limits
Trail (Proposed)

Feet

0 145 290 580 870 1,160

1:4,800

City Neighborhood
Civic Institutional
Civic and Private Open Space
Industrial
Natural
Non-Municipal Government
Residential Neighborhood
Rural Residential
Urban Center

FW: Rezone on Vanderventer

Planning Shared <planning@fayetteville-ar.gov>
Mon 11/14/2022 3:21 PM

To: Harrison, Gretchen <gharrison@fayetteville-ar.gov>

For you.

Thank you

Mirinda Hopkins
Development Coordinator
Planning Division
City of Fayetteville
479-575-8267
Website | Facebook | Twitter | Instagram | YouTube

CITY OF FAYETTEVILLE ARKANSAS

From: Tammy Tyler [mailto:tammytyler777@gmail.com]
Sent: Monday, November 14, 2022 3:08 PM
To: Planning Shared <planning@fayetteville-ar.gov>
Subject: Rezone on Vanderventer

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi,
We own the house at 1641 N Vanderventer Ave. I am very concerned for the rezoning of 1657 N Vanderventer. The traffic worries me because of my 2 young grandchildren living here. The street is not very wide. Children would never be able to ride bikes or play out in front of their house with all of the additional cars.

Thanks,
Tammy Tyler