

# **City of Fayetteville, Arkansas**

*113 West Mountain Street*

*Fayetteville, AR 72701*

*(479) 575-8267*



## **Planning Commission Tentative Agenda**

**Thursday, May 7, 2026**

**4:30 PM**

**100 W. Rock Street**

### **Planning Commission Members**

*Nick Werner, Chair*

*Andrew Brink, Vice Chair*

*Ashlyn Holeyfield, Secretary*

*H. Rice Brewer*

*Matthew Cabe*

*Nick Castin*

*Fred Gulley*

*Mary Madden*

*Mary McGetrick*

*Senior Assistant City Attorney Blake Pennington*

## Zoom Information

**Webinar ID:** 882 1504 3187

**Registration Link:** [https://fayetteville-ar.zoom.us/webinar/register/WN\\_pQY5C-PjTx-s9BB2f2kfCA](https://fayetteville-ar.zoom.us/webinar/register/WN_pQY5C-PjTx-s9BB2f2kfCA)

### Call to Order

### Roll Call

### Consent

#### 1. **MINUTES:**

Approval of the minutes from the April 27, 2026 Planning Commission Meeting. - Bliss Hyke, Planning Technician

### Unfinished Business

### New Business

#### 2. **VAR-2026-0011: Planning Commission Variance (1998 N COLLEGE AVE/PENGUINO PROPERTIES LLC, 368):**

Submitted by PRISM DESIGN STUDIO & DEMX ARCHITECTURE PA for property located at 1998 N COLLEGE AVE. The property is zoned UC, URBAN CORRIDOR, and contains approximately 1.10 acres. The request is for a variance for a non-conforming parking lot requirement. - Donna Wonsower, Senior Planner

#### 3. **VAR-2026-0012: Planning Commission Variance (NORTHEAST CORNER OF N. PARK AVE & W. LOUISE ST./REINDL INVESTMENTS LLC & DOTSON WILLIAMS LLC, 445):**

Submitted by FLINTLOCK, LTD CO for property located NORTHEAST CORNER OF N. PARK AVE & W. LOUISE ST. The property is zoned RMF-24, RESIDENTIAL MULTI-FAMILY, TWENTY-FOUR UNITS PER ACRE and contains approximately 0.40 acres. The request is for a variance to the residential street sections. - Donna Wonsower, Senior Planner

#### 4. **CUP-2026-0019: Conditional Use Permit (1431 S. SCHOOL AVE/RY & BRIAN LLC, 562):**

Submitted by BRIAN KHEANG for property located at 1431 S. SCHOOL AVE. The property is zoned MSC, MAIN STREET CENTER and contains approximately 0.50 acres. The request is for the use of a drive-thru in MSC, MAIN

STREET CENTER zoning. - Citlali Samano, Planner

**5. CUP-2026-0020: Conditional Use Permit (WEST OF 515 W. HOLLY ST./CCAR PROPERTIES LLC, 406):**

Submitted by MARTIN BUILDING GROUP for property located WEST OF 515 W. HOLLY ST. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.26 acres. The request is to build a duplex in a single-family residential zoning district. - Wesley Frank, Planner

**6. CUP-2026-0021: Conditional Use Permit (1139 N SUNSET DR UNIT 2/MODERN FRONTIER PROPERTIES LLC, 404):**

Submitted by MODERN FRONTIER PROPERTIES LLC for property located at 1139 N SUNSET DR UNIT 2. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.30 acres. The request is for the use of a short-term rental in a single-family residence. - Donna Wonsower, Senior Planner

**7. RZN-2026-0012: Rezoning (2245 W DEANE ST/ALEXIS MONTEALEGRE TRUST, 364):**

Submitted by LAW OFFICE OF ALEX MONTEALEGRE for property located at 2245 W DEANE ST. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRES and contains approximately 0.70 acres. The request is to rezone the property to RI-U, RESIDENTIAL INTERMEDIATE, URBAN. - Citlali Samano, Planner

**8. RZN-2026-0013: Rezoning (1429 & 1431 W DEANE ST/JOANNA ELISABETH HESS & MYLISSA GRABER, 365):**

Submitted by RMP LLP for property located at 1429 & 1431 W DEANE ST. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRES and contains approximately 0.40 acres. The request is to rezone the property to RI-U, RESIDENTIAL INTERMEDIATE, URBAN. - Citlali Samano, Planner

**9. RZN-2026-0014: Rezoning (2710 N COLETTE AVE/MARTIN, 293):**

Submitted by MARTIN BUILDING GROUP for property located at 2710 N COLETTE AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRES and contains approximately 0.20 acres. The request is to rezone the property to NC, NEIGHBORHOOD CONSERVATION. - Wesley Frank, Planner

**Items Administratively Approved by Staff**

**10. SIP-2025-0007: Site Improvement Plan (1967 E. HUNTSVILLE RD/DMM**

**HOLDINGS LLC, 565):**

Submitted by ENGINEERING SERVICES INC for property located at 1967 E. HUNTSVILLE RD. The property is zoned CS, COMMUNITY SERVICES and contains approximately 0.85 acres. The request is for a multi-family development with 10 residential units and associated parking.

- Citlali Samano, Planner

**11. LSP-2026-0020: Lot Split (NORTH & SOUTH OF 1238 N. BOX AVE./ BOX PROPERTY HOLDINGS LLC, 372):**

Submitted by BATES & ASSOCIATES for property located NORTH & SOUTH OF 1238 N. BOX AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains three lots totaling approximately 1.80 acres. The request is to split the properties into six lots of 0.30 acres each. - Donna Wonsower, Senior Planner

**12. LSP-2026-0011: Lot Split (NORTH OF 215 S. BLOCK AVE/TANGLEWOOD ASSETS LLC, 523):**

Submitted by MCCLELLAND CONSULTING ENGINEERS for property located NORTH OF 215 S BLOCK AVE. The property is zoned DG, DOWNTOWN GENERAL and contains two lots with 0.20 and 0.20 acres. The request is to split the property into six lots containing 0.10, 0.07, 0.05, 0.05, 0.05 and 0.05 acres. - Donna Wonsower, Senior Planner

**Agenda Session Items****Announcements****Adjournment****NOTICE TO MEMBERS OF THE AUDIENCE**

All interested parties may appear and be heard at the public hearings. If you wish to address the Planning Commission on an agenda item, please queue behind the podium when the Chair asks for public comment. Once the Chair recognizes you, go to the podium and give your name and address. Address your comments to the Chair, who is the presiding officer. The Chair will direct your comments to the appropriate appointed official, staff, or others for response. Please keep your comments brief, to the point, and relevant to the agenda item being considered so that everyone has a chance to speak.

Interpreters of TDD, Telecommunications Device for the Deaf, are available for all public hearings, 72 hour notice is required. For further information or to request an interpreter, please call 575-8330.

As a courtesy please turn off all cell phones and pagers.



<b>(pg. 1) Planning Commission</b>		<b>Monday, 4/27/2026</b>					
<b>Time:</b>	5:30 PM						
<b>Staff :</b>	<input type="checkbox"/> Jonathan Curth <input checked="" type="checkbox"/> Jessie Masters <input type="checkbox"/> Donna Wonsower <input checked="" type="checkbox"/> Wesley Frank <input type="checkbox"/> Citlali Samano <input type="checkbox"/> Willa Thomason <input type="checkbox"/> Bethany Douglas <input type="checkbox"/> Britin Bostick <input type="checkbox"/> Kylee Cole <input type="checkbox"/> Chris Brown <input checked="" type="checkbox"/> Justin Bland <input type="checkbox"/> Dayten Moses <input type="checkbox"/> Alan Pugh <input type="checkbox"/> Fire Marshal <input checked="" type="checkbox"/> City Attorney						
	<b>Roll Call</b>	<b>1) Minutes (04/13/2026)</b>	<b>2) LSD-2026-0005 (CONAGRA FOODS PACKAGED FOODS LLC)</b>	<b>3) ADM-2026-0010 (VAUGHN RECYLING)</b>		<b>4) LSD-2026-0004 (KTB LIMITED PARTNERSHIP &amp; UNDERWOOD, CRAIG &amp; LAURA REVOCABLE TRUST)</b>	<b>5) CUP-2026-0015 (INGLE)</b>
<b>Gulley</b>	1	1	1	0	0	1	1
<b>Madden</b>	1	1	1	1	0	1	1
<b>Brink</b>	1	1	1	1	1	1	1
<b>Werner</b>	1	1	1	1	1	1	1
<b>Holeyfield</b>	1	1	1	1	1	1	1
<b>McGetrick</b>	0						
<b>Cabe</b>	1	1	1	1	0	recuse	1
<b>Castin</b>	1	1	1	1	1	1	1
<b>Brewer</b>	1	1	1	1	1	1	1
<b>Agenda</b>		<b>Consent</b>	<b>Consent</b>	<b>New</b>		<b>New</b>	<b>New</b>
<b>Action</b>		Approve	Approve	Amend	Approve	Approve	Approve
<b>Motion By</b>		Brink	Brink	Brink	Holeyfield	Brink	Cabe
<b>Motion 2nd</b>		Castin	Cabe	Castin	Castin	Gulley	Holeyfield
<b>Vote</b>		8-0-0	8-0-0	7-1-0	5-3-0	7-0-1	8-0-0
<b>Time</b>		5:32 PM	5:35 PM	6:04 PM	6:05 PM	6:29 PM	6:43 PM
<b>Motion Detail</b>			Approved with all conditions as recommended by staff.	Motion 1: To amend condition #3 to June 1 2027 and strike condition #4. Motion 2: To approve with all conditions as recommended by staff, and as modified.		Approved with all conditions as recommended by staff.	Approved with all conditions as recommended by staff.
<b>Public Comment</b>			0	0		2	0

	6) CUP-2026-0017 (TOWN CREEK BUILDERS INC)	7) CUP-2026-0018 (PARADISE VALLEY INVESTMENT GROUP)	8) RZN-2026-0010 (JOHNSON)	9) RZN-2026-0011 (CENTRAL UNITED METHODIST CHURCH INC)		
Gulley	1	1	0	0		
Madden	0	1	1	1		
Brink	0	1	1	1		
Werner	0	1	1	1		
Holeyfield	0	1	1	1		
McGetrick						
Cabe	1	1	1	1		
Castin	1	1	1	1		
Brewer	0	1	1	1		
<b>Agenda</b>	<b>New</b>	<b>New</b>	<b>New</b>	<b>New</b>		
<b>Action</b>	Approve	Approve	Forward	Forward		
<b>Motion By</b>	Cabe	Brink	Brink	Brink		
<b>Motion 2nd</b>	Gulley	Cabe	Gulley	Holeyfield		
<b>Vote</b>	3-5-0	8-0-0	7-1-0	7-1-0		
<b>Time</b>	6:50 PM	6:56 PM	7:10 PM	7:19 PM		
	Motion to approve failed.	Approved with all conditions as recommended by staff.	Forwarded with recommendation of approval.	Forwarded with recommendation of approval.		
<b>Public Comment</b>	0	0	2	0		



**TO:** Fayetteville Planning Commission

**THRU:** Jessie Masters, Planning Director

**FROM:** Donna Wonsower, Planner

**MEETING DATE:** May 11, 2026

**SUBJECT:** **VAR-2026-0011: Planning Commission Variance (1998 N. COLLEGE AVE/PENGUINO PROPERTIES LLC, 368)** Submitted by PRISM DESIGN STUDIO & DMX ARCHITECTURE PA for property located at 1998 N. COLLEGE AVE. The property is zoned UC, URBAN CORRIDOR and contains approximately 1.10 acres. The request is for a variance to nonconforming parking and other design standards.

**RECOMMENDATION:**  
Staff recommends approval of **VAR-2026-0011** with conditions.

**RECOMMENDED MOTION:**  
*"I move to approve VAR-2026-0011, recommending:*

- *In favor of a variance to §172.08(A) Nonconforming Parking Lots,*
- *In favor of a variance to §166.25(D)(2) Cross Access,*
- *In favor of a variance to §166.13(A) Underground Utility Wires,*
- *In favor of all conditions as recommended by staff."*

**BACKGROUND:**  
The subject property is located in north Fayetteville east of the intersection of N. College Ave. and W. Poplar St. directly adjacent to the site of the proposed Ramay Junior High School. The site consists of one 1.10-acre parcel which was rezoned to UC, Urban Corridor as part of the city's 71B rezoning project in 2024. There is currently one vacant commercial structure which is proposed to be renovated into an orthodontic office. The property is partially encumbered by streamside protection and FEMA-designated floodplains, and hydric soils. The property is also part of the 71B Planning Areas and Hillside Hilltop Overlay District. Surrounding land use and zoning is depicted in Table 1.

**Table 1:  
Surrounding Land Use and Zoning**

<b>Direction</b>	<b>Land Use</b>	<b>Zoning</b>
North	Retail	UC, Urban Corridor
South	Ramay Junior High (Under Review)	P-1, Institutional
West	Retail / Offices	UC, Urban Corridor
East	Ramay Junior High (Under Review)	P-1, Institutional

*Request:* The applicant is requesting three variances from the unified development code, which are described in detail below alongside staff's recommendations.

## DISCUSSION

**Variance #1: UDC §172.08(A), Nonconforming Parking Lots – All parking lots and/or parking areas which were in existence prior to the effective date of this ordinance may continue in a nonconforming state until such time as the following shall occur: (A) Rehabilitation. A building permit is granted to rehabilitate a structure on the property exceeding 50% of the current replacement cost of the structure. At such time, 50% of the existing parking lot use area shall be required to be brought into compliance with the provisions of this ordinance. This shall continue on a graduated scale in accordance with the percentage of rehabilitation cost.** The estimated replacement cost of the building is \$1,150,169 with the estimated values of the proposed building renovations being approximately \$1,000,000 (86.9%). The applicant is requesting a variance from the nonconforming parking standard to bring none of the existing parking (0%) into conformance where code would require 86.9% of the lot to be brought to current standards.

*Staff recommendation: The applicant is proposing a full interior renovation of the existing structure to convert the building into an orthodontic clinic. Exterior renovations are also proposed including expanded retaining walls, pavement widening and additional native planting beds. Nonconforming parking lots are allowed to remain in their current states until triggered by one of several standards, one being rehabilitation of an existing building meeting or exceeding 50% the replacement cost of the structure. Based on a new build cost of \$287.04 per square foot per the ICC valuation table based on the business use (not inclusive of any specialty equipment), staff estimates the replacement cost of the existing structure to be \$1,159,169, which would require 86.9% of the existing parking lot to be brought into conformance based on the provided renovation costs. The applicant contests this estimate and has provided an alternate replacement cost estimate of \$2,073,622.50, which utilizes a square foot cost of \$450 per square foot and includes a 15% contingency (45.80%). Staff finds that inclusion of a contingency is not common in estimating replacement costs of structures. Without the inclusion of the additional contingency, the replacement cost of the structure is \$1,803,150, which would trigger the nonconforming parking ordinance at 52.7%. As such, staff finds that a variance is still required.*

*In discussing the variance itself, the applicant cites the impact of cascading ordinances that would come into play should the parking lot be redeveloped, including further requirements relating to nonconforming site access features and landscaping, the potential need for additional variances, and triggers to floodplain. Approximately half of the existing parking lot is currently within FEMA floodplain with floodway abutting right-of-way. Full renovation of the parking lot could trigger both FEMA review and potentially a large-scale development should the redevelopment area exceeds 10,000 square feet of impervious surface. Given these restraints and the delays and expense that could be triggered by additional development entitlements, staff recommends in support of the variance with conditions.*

*Staff recommends a series of smaller scale improvements that will better align the existing parking lot with current standards, outlined below:*

- 1) Parking lots spaces shall be striped to indicate the location of the individual spaces, directional arrows shall be provided at the entrance of aisles and entry*

*drives, and accessible spaces shall be marked meeting current Americans with Disabilities Act (ADA) requirements. Such striping and marking shall be in accordance with the Manual on Uniform Traffic Control Devices;*

- 2) A pedestrian path shall be clearly defined from the entry to the public right-of-way. The pathway may be defined by pavement paint, striping, or other visual markings that do not involve grade or material changes;*
- 3) One bike rack shall be provided per UDC 172.10.*
- 4) One parking lot tree shall be provided per 12 spaces.*
- 5) Parking lot shall be screened from the public right-of-way and adjacent residential properties with shrubs per the requirements of Chapter 177.*

*Urban Forestry notes the existing tree islands do not meet minimum sizing requirements, and states that the islands could either be expanded or the tree species could be shifted to an understory tree. Staff finds that these incremental steps would incrementally improve the usability and visual appearance of the parking lot while minimizing expenses and additional development delays for the applicant.*

**Variance #2: UDC §166.25(D)(2), Cross Access – Cross access shall be required to adjacent developed and undeveloped properties.** The applicant is requesting to vary from this standard in order not to provide cross access to any adjacent properties.

*Staff recommendation: Staff is partially supportive of this request. Staff finds that granted a variance to the east is supportable since the eastern portion of the property is covered in steep, canopied hillside and the adjacent property includes a public school with minimal development adjacent to the eastern property line of this parcel. While a circular drive is proposed around the school that approaches this shared property boundary, staff finds the steep slopes would make a connection infeasible and that such a connection would likely run counter to both the intent to maintain forested hillsides and to limit access into school grounds for security purposes. Staff recommends approval of a cross-access variance to the east with no added conditions.*

*Staff recommends against a cross-access variance to the north as the existing parking lot is located approximately 4 feet from the property line, there are no major grade differences between properties, and no clear explanation or hardship has been provided for why an access easement or stub-out could not be provided. Approximately 26 feet of the parking lot along the northern property line is located outside of the floodplain. If approved, staff recommends that either an access easement or stub-out shall be provided to the northern property line.*

*Staff is unable to fully evaluate cross access to the south at this time. A driveway is proposed for the new Ramay Junior High that will partially overlap this property, but this driveway is not shown on the plans, and it is unclear how the new driveway will affect the existing parking lot, shared driveway, or access to the existing ADA spaces to the east. It appears that the existing driveway is intended to remain abutting the new driveway; however, it is unclear if the driveways are intended to connect or if such a connection could be done safely. Staff recommends the applicant coordinate with engineering to determine if cross access to the south could be safely accommodated.*

**Variance #3: UDC §166.13(A), Underground Utility Wires** – In the new residential developments requiring Planning Commission approval and new commercial developments all utility wires, lines, and/or cable in said developments utilized by electric and/or telecommunications companies shall be placed underground. The applicant is requesting to vary from this standard to not relocate the existing electrical line from the transformer to the power pole underground.

*Staff recommendation: Staff is supportive of this request. Staff finds this is a relatively minor request that encompasses only a small section of utility line. Relocating utilities underground can constitute a significant financial burden, and staff finds that relocating such as small portion of the electrical lines is likely to have minimal visual or functional impact on the site. As such, no additional conditions are recommended.*

*Public Comment:* Staff has not received any public comment on the request at this time.

**RECOMMENDATION: Staff recommend approval of VAR-2026-0011 with the following conditions.**

**Conditions of Approval:**

1. **Planning Commission determination of a variance to §166.11(A), Conformance to Plans and Regulations.** *Staff recommends approval of the requested variance with conditions:*
  - a. *Parking lots spaces shall be striped to indicate the location of the individual spaces, directional arrows shall be provided at the entrance of aisles and entry drives, and accessible spaces shall be marked meeting current Americans with Disabilities Act (ADA) requirements. Such striping and marking shall be in accordance with the Manual on Uniform Traffic Control Devices;*
  - b. *Access to the ADA parking spaces shall be clearly defined and must be constructed in a manner that enables safe ingress and egress.*
  - c. *A pedestrian path shall be clearly defined from the entry to the public right-of-way. The pathway may be defined by pavement paint, striping, or other visual markings that do not involve grade or material changes;*
  - d. *One bike rack shall be provided per UDC 172.10.*
  - e. *One parking lot tree shall be provided per 12 spaces.*
    - i. *Existing tree islands do not meet minimum sizing requirements. The islands could either be expanded or the tree species could be shifted to an understory tree.*
  - f. *Parking lot shall be screened from the public right-of-way and adjacent residential properties with shrubs per the requirements of Chapter 177.*
2. **Planning Commission determination of a variance to §166.25(D)(2), Cross Access.** *Staff recommends approval of the requested variance with conditions:*
  - a. *No cross access shall be required to the eastern property line.*
  - b. *Either an access easement or stub out of at least twenty feet in width shall be provided to enable future connectivity to the north.*
3. **Planning Commission determination of a variance to §166.12(A), Underground Utility Wires.** *Staff recommends approval of the requested variance with no conditions.*
4. Approval of this variance does not represent overall development entitlement approval for

the project, nor grant approval for any associated grading or building permits, nor does it grant final approval of certificate of occupancy.

<b>PLANNING COMMISSION ACTION:</b> Required <u>YES</u>
<b>Date:</b> <u>May 11, 2026</u> <input type="checkbox"/> Tabled <input type="checkbox"/> Approved <input type="checkbox"/> Denied
<b>Motion:</b>
<b>Second:</b>
<b>Vote:</b>

**BUDGET/STAFF IMPACT:**

None

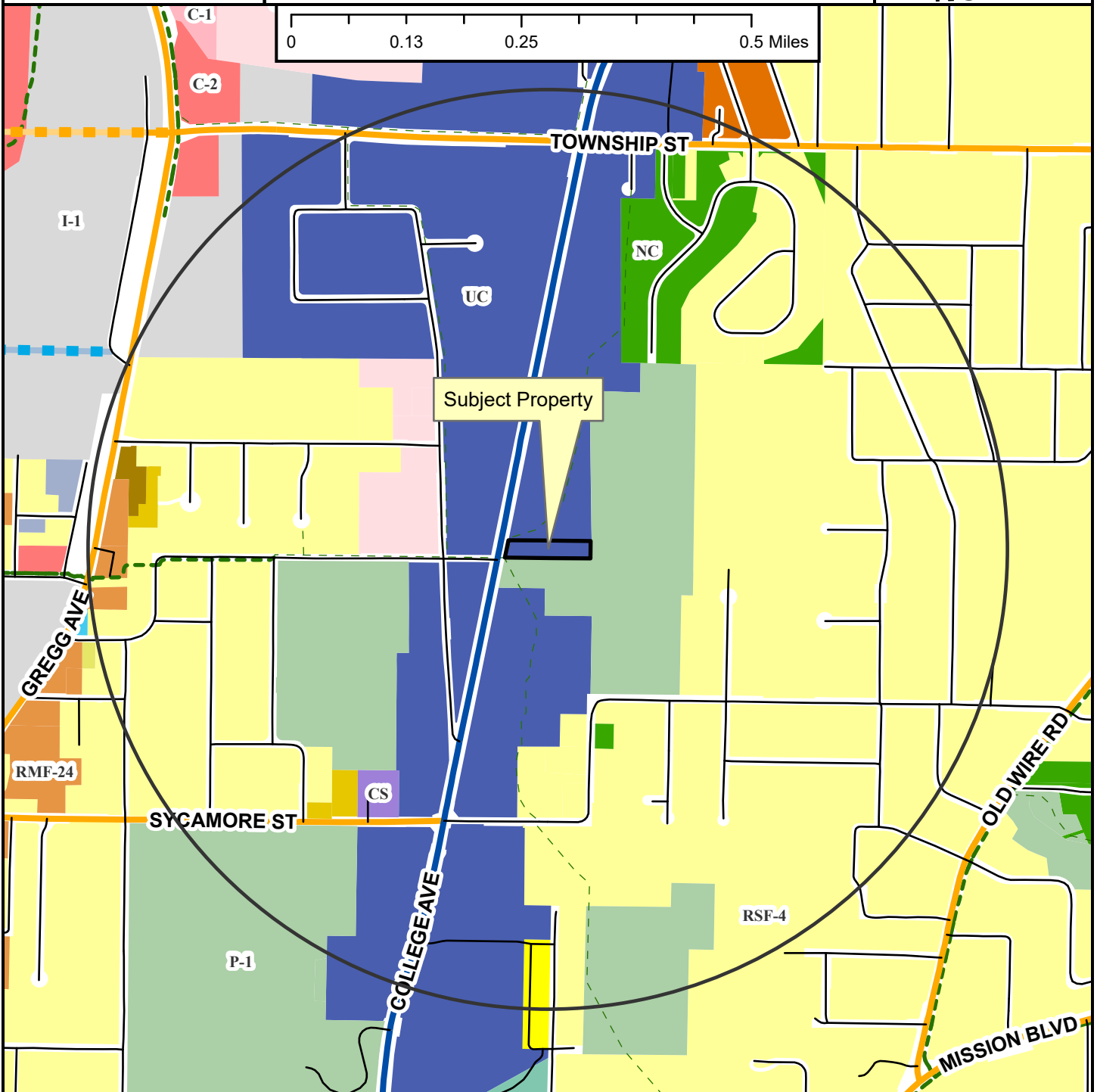
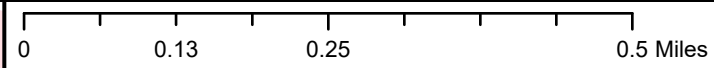
**ATTACHMENTS:**

- Unified Development Code:
  - §166.13 Underground Utility Wires
  - §166.25 Cross Access
  - §172.08 Nonconforming Parking Lots
- Project Maps
  - One Mile Map
  - Close-Up Map
  - Current Land Use Map
- Staff Exhibits
  - Engineering Memo
  - Urban Forestry Memo
- Applicant Exhibits
  - Cover Letter
  - Estimated Building Replacement Cost
  - Site Plan
  - Existing and Proposed Driveways

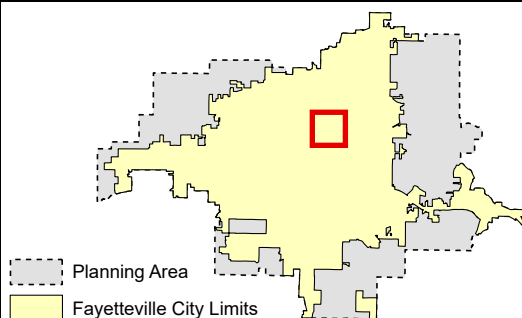
VAR-2026-0011

# 1998 N COLLEGE AVE

One Mile View



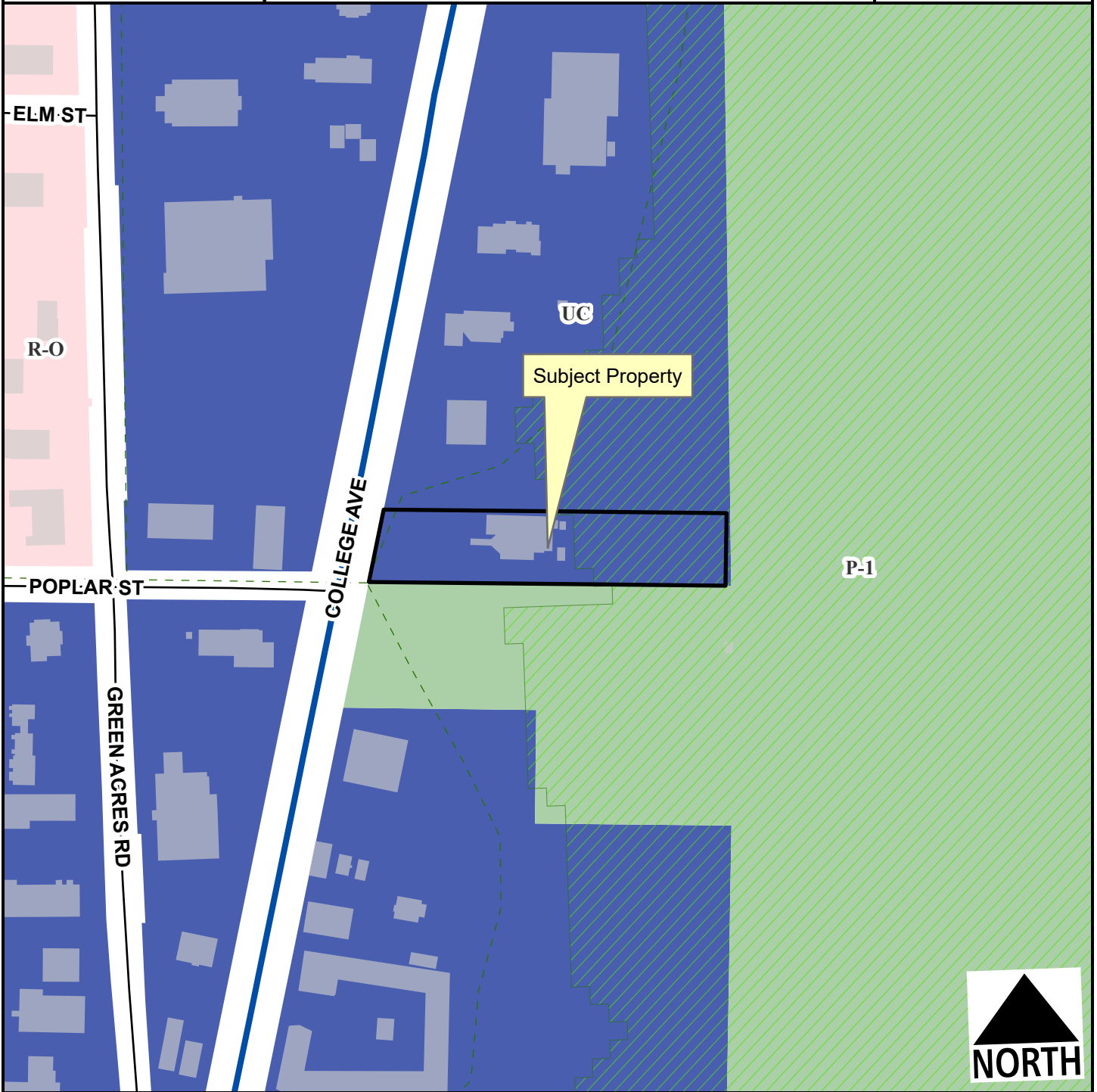
- Neighborhood Link
- Regional Link - High Activity
- Unclassified
- Residential Link
- Planned Neighborhood Link
- Planned Residential Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Fayetteville City Limits
- Planning Area









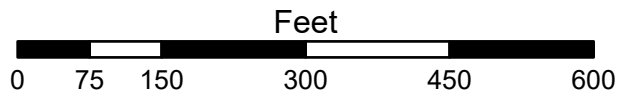
VAR-2026-0011

# 1998 N COLLEGE AVE

Close Up View



-  Regional Link - High Activity
-  Residential Link
-  Hillside-Hilltop Overlay District
-  Planning Area
-  Fayetteville City Limits
-  Trail (Proposed)



1:2,400

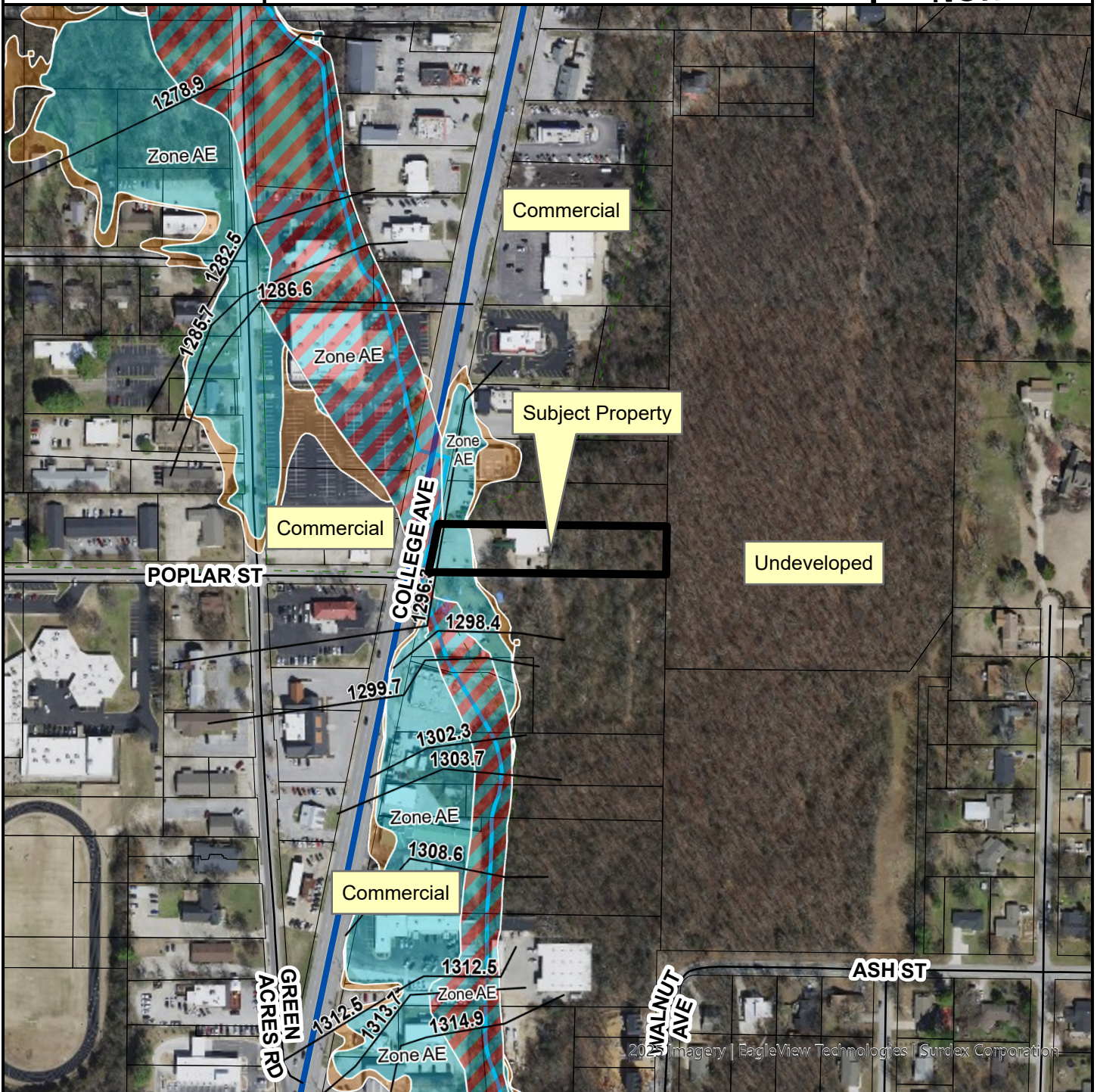







VAR-2026-0011

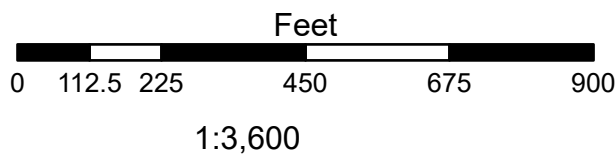
# 1998 N COLLEGE AVE





Current Land Use



-  Regional Link - High Activity
-  Residential Link
-  Trail (Proposed)
-  Planning Area
-  Fayetteville City Limits



### FEMA Flood Hazard Data

-  100-Year Floodplain
-  Floodway

### 166.13 Underground Utility Wires

- (A) In the new residential developments requiring Planning Commission approval and new commercial developments all utility wires, lines, and/or cable in said developments utilized by electric and/or telecommunications companies shall be placed underground.
- (B) *Waiver.* In case of hardships, (including but not limited to financial, geological, environmental, or regulatory) unique to the subject property, the Planning Commission may grant a waiver, on a permanent or temporary basis, to allow the erection, construction, installation, maintenance, use or operation of poles and overhead wires and associated overhead structures.
- (C) *Exemptions.* The following shall be exempt from the requirements of this section:
  - (1) Overhead wires, supporting structures, and associated structures of a temporary nature which provide temporary service. A permit obtained from the Zoning and Development Administrator for said temporary service, addressing the nature and duration of said service, shall be required.
  - (2) Existing lines of 12Kv and above.
  - (3) A single power pole near the exterior boundary of a development shall be allowed to provide connections for underground service.
- (D) Nothing herein shall be construed to usurp the authority of the Arkansas Public Services Commission and in all instances of conflict, the rules and regulations of said Arkansas Public Service Commission shall prevail.

(Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4169, §1, 6-16-99)

### 166.25 Commercial, Office and Mixed-use Design And Development Standards

- (A) ...
- (B) *Applicability.* These design and development standards apply to commercial developments, office developments, small scale production, those parts of a planned zoning district or other mixed-use developments with commercial and office elements and to industrial developments within the I-540 Overlay District.
- (C) ...
- (D) *Site Development and Design Standards.*
  - (1) *Site Coverage.* A maximum of 80% of the development site may be covered by the ground floor of any structure, parking lots, sidewalks, and private streets and drives or any other impermeable surface. Properties located within the Downtown Master Plan boundary are exempt from this requirement.
  - (2) *Cross Access.* Cross access shall be required to adjacent developed and undeveloped properties.
  - (3) ...
- (F) *Variiances.* (See Chapter 156.)

(Ord. No. 5526, 9-18-12; Ord. No. 5735, 1-20-15; Ord. No. 6091, §1, 9-18-18; Ord. No. 6667, §1, 6-6-23)

### 172.08 Nonconforming Parking Lots

All parking lots and/or parking areas which were in existence prior to the effective date of this ordinance may continue in a nonconforming state until such time as the following shall occur:

- (A) *Rehabilitation.* A building permit is granted to rehabilitate a structure on the property exceeding 50% of the current replacement cost of the structure. At such time, 50% of the existing parking lot use area shall be

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required to be brought into compliance with the provisions of this ordinance. This shall continue on a graduated scale in accordance with the percentage of rehabilitation cost; and/or

- (B) *Enlargement or Reconstruction.* A building permit is granted to enlarge or reconstruct a structure on the property exceeding 10% of its existing gross floor area. At such time 10% of the existing parking lot and/or parking lot area shall be brought into compliance with the provisions of this section. This shall be on a graduated scale until reaching 100% of the required landscaping; and/or
- (C) *New Curb Cut.* A new curb cut permit is granted for the nonconforming parking lot. At such time the parking lot and/or parking area shall be required to be brought into compliance with the provisions of this ordinance.

(Code 1965, App. A., Art. 8(9); Ord. No. 1747, 6-29-70; Ord. No. 2380, 9-20-77; Ord. No. 2549, 8-7-79; Code 1991, §160.117; Ord. No. 3870, §4, 2-21-95; Ord. No. 3962, §§1, 2, 4-16-96; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4127, §1 (Ex. A), 12-15-98; Ord. No. 4319, 6-5-01; Ord. No. 4412, (Ex. A), 9-3-02)



**TO:** Donna Wonsower, Senior Planner

**FROM:** Justin Bland, City Engineer

**DATE:** May 6, 2026

**SUBJECT:** **Planning Commission Engineering Comments for  
VAR-2026-0011**

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If the site parking lot is required to be brought into compliance with the provisions of the Unified Development Code (UDC), Engineering staff has the following concerns:

- **Exhibits:** There are two active projects currently affecting the property. Along the western frontage, the City has a federal "Safe Streets for All" grant to construct improvements along College Ave., including new sidewalks and driveways. Along the southern side, staff understands that the property owner has permitted the driveway for the new Ramay Junior High School to encroach upon this property. The applicant has not yet provided a comprehensive exhibit showing all these proposed changes in relation to the site. Consequently, staff cannot make appropriate recommendations or finalize the review.
- **Flood plain:** The western half of the parking lot is within the 100-year floodplain. Any improvements within this area—including the addition of curbing—require a flood study to demonstrate that floodplain depths and velocities are not increasing and that any fill is offset with compensatory storage.
- **College Ave. Improvements:** Due to the pending roadway improvements, staff recommends a fee-in-lieu for any required sidewalk across the frontage of the property.
- **ADA Parking Stalls:** The proposed parking stalls are located on the south side of the building. Access to these stalls may be restricted by the Ramay improvements; however, staff cannot determine the extent of the impact without a comprehensive exhibit. If the encroachment is significant, the drive lane width may not meet the minimum width required for two-way vehicular access.
  - o If the southern drive lane is insufficient, ADA parking may need to be relocated to the front parking lot. This area has steep grades and would require significant grading to achieve ADA compliance. Depending on the footprint of this grading, it could trigger additional floodplain development issues.



## Planning Commission Memo

**TO:** Fayetteville Planning Commission

**THRU:** Donna Wonsower, Senior Planner

**FROM:** Willa Thomason, Urban Forester

**MEETING DATE:** May 11, 2026

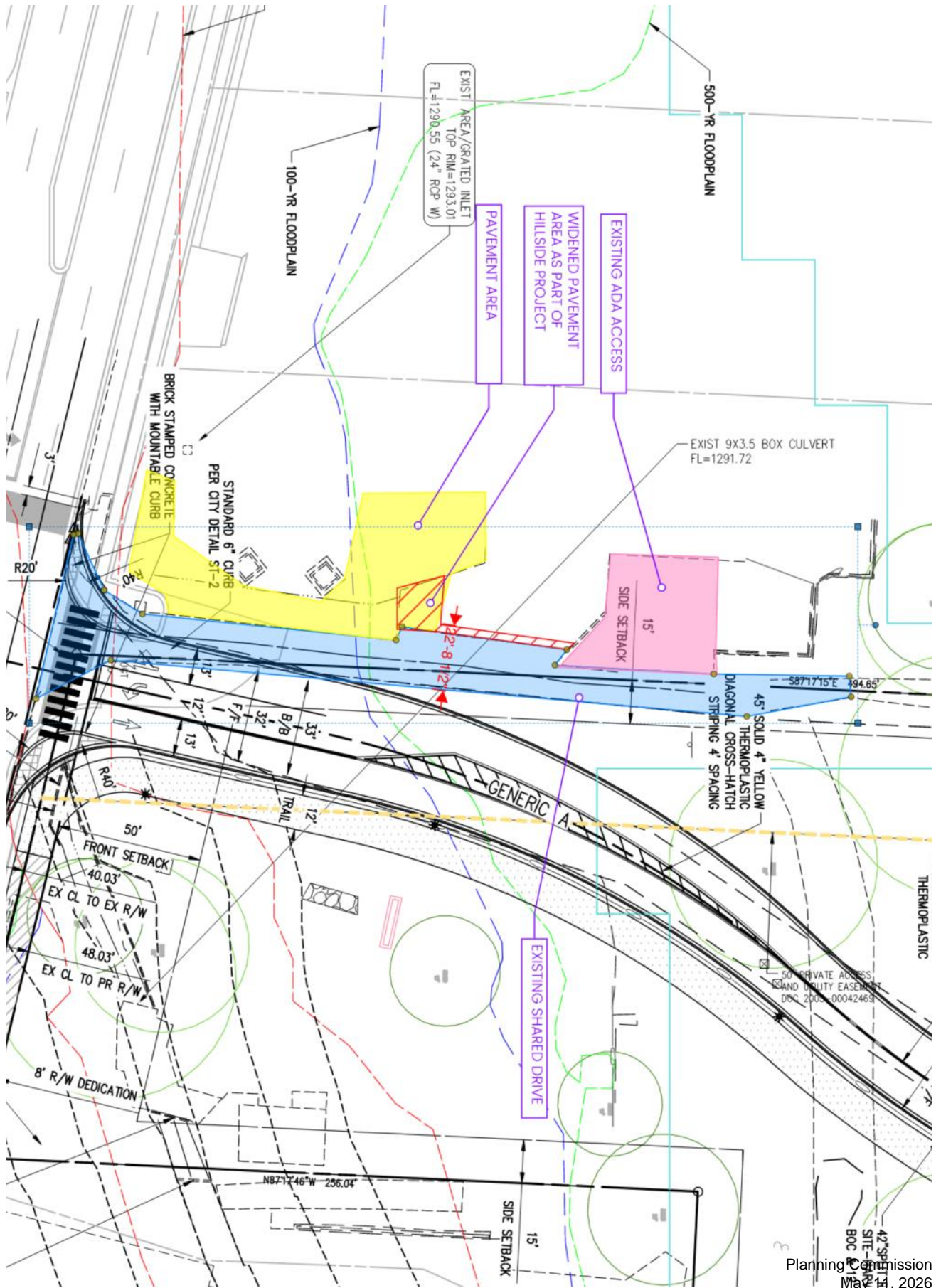
**SUBJECT:** **VAR-2026-0011: 1998 N COLLEGE AVE** - Submitted by PRISM DESIGN STUDIO & DEMX ARCHITECTURE PA for property located at 1998 N COLLEGE AVE. The property is zoned UC, URBAN CORRIDOR, and contains approximately 1.10 acres. The request is for a variance for a non-conforming parking lot requirement. PP368

**RECOMMENDATION:** Urban forestry staff recommend conditional approval of VAR-2026-0011, a variance request to §172.08(A): Nonconforming Parking Lots, and to §166.25(D)(2): Commercial, Office, and Mixed-Use Design and Development Standards.

**DISCUSSION:** The applicant is requesting a variance to UDC §172.08(A) to circumvent the improvements required to bring the existing parking lot on-site into conformance, and the requirement to provide cross-access to the adjacent properties. While urban forestry staff do not have an official recommendation regarding variance request to §166.25(D)(2), urban forestry staff recommend conditional approval of the applicant's request for a variance to §172.08(A). Parking lot trees, street trees, and parking lot shrub screening have all been included in the quantities required by §177 on the site plan provided.

**CONDITIONS OF APPROVAL:** While §177 dictates that parking lot tree islands shall be a minimum of 150 sf., the existing tree islands on-site have an area of <100 sf. Urban forestry staff recommend that these existing tree islands be expanded to the minimum 150 sf if the intent is to install large overstory species trees in them. Alternatively, the applicant may choose to install understory species (maximum height <30') better accommodated by the smaller tree islands.

# Applicant Exhibit: Existing and Proposed Driveways



May 04, 2026

City of Fayetteville  
Development Services  
125 West Mountain St.  
Fayetteville, AR 72701  
479.575.8233

RE: Variance Request

**Project Name:** Hillside Orthodontics Clinic  
**Project Location:** 1998 N. College Ave, Fayetteville, AR 72703  
**Building Permit:** COMM-2026-0035

**Project Narrative:** The property, formerly home to the Chinese restaurant Formosa, has remained vacant since its closure last year. The new owners, Ryan and Senushi O’Sullivan, plan to redevelop the site into a locally owned orthodontics clinic. Renovations include removal of the existing exterior awning, reconfiguration of interior spaces, new finishes, updated windows, enhanced landscaping, and improved ADA-accessible parking and entry. No additional parking lot or exterior site improvements are proposed at this time.

**Variance Narrative:** The site was developed under a previous code and does not meet current standards for new development. The Fayetteville Municipal Code outlines specific requirements for site improvements—such as landscaping, access, and parking—that may be triggered by building renovations, expansions, or reconstruction. As part of this project, two variances related to parking lot requirements have been identified. See specific variance requests below:

Code Sections:

1) UDC 172.08 (A)

*172.08- Non-conforming Parking Lots*

*All parking lots and/or parking areas which were in existence prior to the effective date of this ordinance may continue in a nonconforming state until such time as the following shall occur:*

*(A) Rehabilitation. A building permit is granted to rehabilitate a structure on the property exceeding 50% of the current replacement cost of the structure. At such time, 50% of the existing parking lot use area shall be required to be brought into compliance with the provisions of this ordinance. This shall continue on a graduated scale in accordance with the percentage of rehabilitation cost; and/or*

Comment: The estimated value of building renovations is approximately \$1,000,000.00, while the estimated replacement value is \$859,957.30 (per City calculations).

2) UDC 166.25(D)(2)

*166.25 – Commercial, Office, and Mixed-Use Design and Development Standards*

*(D) Site Development and Design Standards*

*(2) Cross Access. Cross access shall be required to adjacent developed and undeveloped properties.*

**Basis for Request:**

The Owner is requesting a variance to the two parking lot requirements noted above due to the cascading impact of additional code triggers. Implementing these improvements would initiate further requirements related to site access, variances, street frontage, landscaping, and floodplain compliance. These additional upgrades would result in disproportionate impacts to the project without providing meaningful benefit to the site or the public.

A majority of the existing parking lot is located within the floodplain and some within the floodway. The FEMA regulated channel is currently underground within culverts. The project, in its current scope, proposes no new impervious area and no cut or fill within the floodplain, resulting in no impact to flooding conditions. Complying with the two aforementioned parking lot requirements would require site work within the floodplain and subsequently, a flood study.

Likewise, the City of Fayetteville is undergoing improvements along N. College (71 B Corridor Plan) that has a design in place for street updates, a modified driveway and concrete side path for the property's frontage along N. College Ave.

The UDC Section 164.12 discusses non-conforming buildings, uses, and lots. While the building does not conform to the current zoning district, it is allowed due to the limited nature of the project being a renovation (UDC 164.12(7)).

The new owners have invested significant time, resources, and care into transforming a vacant, outdated building into a modern medical clinic that delivers essential services to the local community. The project incorporates enhanced landscaping designed to create a restorative environment, drawing inspiration from the region's native forests and urban tree canopy.

This project reflects the type of intentional reinvestment envisioned for the 71B Corridor—where underutilized sites are reimagined to support a more cohesive, resilient, and functional urban environment. By introducing a locally owned business, it contributes to a stronger sense of place and reinforces the corridor's ongoing transformation.

If you have any additional questions, please contact me directly at [jenny.burbidge@prismds.co](mailto:jenny.burbidge@prismds.co).

Sincerely,



Jenny Burbidge, PLA, ASLA  
Vice President  
Prism Design Studio

City of Fayetteville  
Development Services  
125 West Mountain St.  
Fayetteville, AR 72701  
479-575-8233

RE: Variance Request

Project Name: Hillside Orthodontics  
Project Location: 1998 N. College Ave., Fayetteville, AR 72703  
Building Permit: COMM-2026-0035

**Variance Narrative:** The building was developed under a previous code and does not meet current standards for new development. The Fayetteville Municipal Code outlines specific requirements for developments including site utility requirements. As part of this project, one variance related to site utilities has been identified. See specific variance request below:

**Code Narrative:**

UDC 166.13

(A) In the new residential developments requiring Planning Commission approval and new commercial developments all utility wires, lines, and/or cable in said developments utilized by electric and/or telecommunications companies shall be placed underground.

(B) *Waiver.* In case of hardships, (including but not limited to financial, geological, environmental, or regulatory) unique to the subject property, the Planning Commission may grant a waiver, on a permanent or temporary basis, to allow the erection, construction, installation, maintenance, use or operation of poles and overhead wires and associated overhead structures.

(C) *Exemptions.* The following shall be exempt from the requirements of this section:

(1) Overhead wires, supporting structures, and associated structures of a temporary nature which provide temporary service. A permit obtained from the Zoning and Development Administrator for said temporary service, addressing the nature and duration of said service, shall be required.

(2) Existing lines of 12Kv and above.

(3) A single power pole near the exterior boundary of a development shall be allowed to provide connections for underground service.

(D) Nothing herein shall be construed to usurp the authority of the Arkansas Public Services Commission and in all instances of conflict, the rules and regulations of said Arkansas Public Service Commission shall prevail.

May 1, 2026

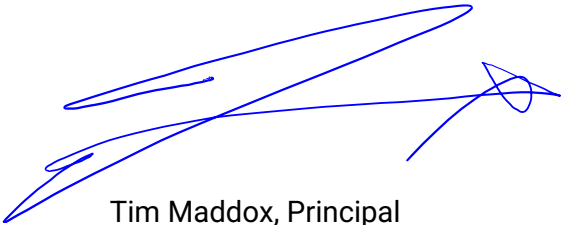
DEM<sup>X</sup>

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**Basis of Request:**

The Owner is requesting a variance from having to relocate the electrical service underground. The current electrical service to the building is underground but the service from the transformer to the power pole along College Ave is overhead. We are asking for a waiver in case of hardship due to the financial burden of relocating the electrical line underground.

Sincerely,



Tim Maddox, Principal  
DEM<sup>X</sup> architecture

May 06, 2026

City of Fayetteville  
Development Services  
125 West Mountain St.  
Fayetteville, AR 72701  
479.575.8233

RE: Building Replacement Cost – Valuation

**Project Name:** Hillside Orthodontics Clinic  
**Project Location:** 1998 N. College Ave, Fayetteville, AR 72703  
**Building Permit:** COMM-2026-0035

Please find the narrative below and attached exhibit as supporting documentation to establish a building replacement estimated cost for the existing structure at 1998 N. College Ave., Fayetteville, Arkansas.

### Structure Replacement Cost Calculation:

Building square footage:	4,007 sf
Typical cost per sf:	\$450/sf
Subtotal:	\$ 1,803,150.00
15% Contingency:	\$ 270,472.50
Final Replacement Cost Total:	\$ 2,073,622.50

Building permit valuation: **\$950,000.00**  
Percentage of building replacement cost: **45.80%**

The rate of \$450 per square foot is supported by typical costs seen in the design and construction field, as well as the difficulty of the site topography and foundation challenges for this structure to be rebuilt. Please find attached conceptual cost from a local building contractor.

The opinion of probable cost to replace the building listed above, does not include the full cost of a rebuild that would require permitting, and/or additional site upgrades. The full cost to rebuild a structure on the subject property would be closer to \$3 million. This estimate also does not include the property value.

If you have any additional questions or comments, please contact me at [jenny.burbidge@prismds.co](mailto:jenny.burbidge@prismds.co).

Thank you,



Jenny C. Burbidge, PLA, ASLA



Date: 4/22/2026

Jenny Burbidge, PLA, ASLA  
Prism Design Studio  
901 N. 47th Street, Suite 400  
Rogers, AR 72756

Re: Hillside Facility – Conceptual Construction Cost Guidance

Jenny,

At your request, Ellingson Contracting has provided a rough order of magnitude construction cost range for a potential replacement facility similar to the existing Hillside building currently under renovation.

Based on our conceptual review and experience with similar commercial construction, we would anticipate new construction for a facility of this type to generally fall within the range of \$400 to \$450 per square foot.

This range is provided as general construction cost guidance only. It should not be interpreted as a Replacement Cost Value, appraisal opinion, property valuation, or insurance valuation.

Thank you,

A handwritten signature in black ink that reads 'Christopher C. Hobby'.

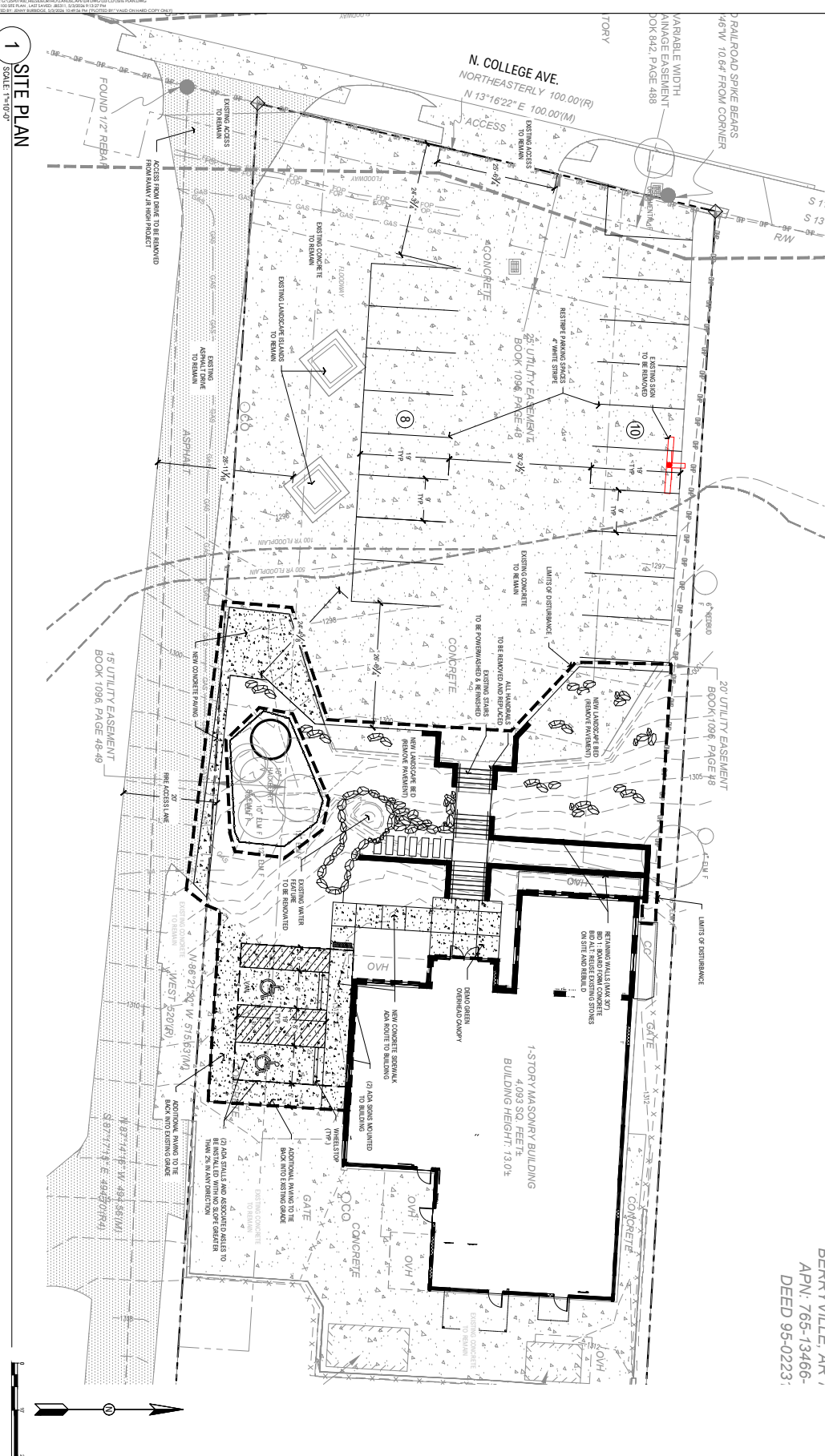
**Chris Hobby**  
Ellingson Contracting  
Vice President, Finance and Preconstruction  
[chris@ellingsoncontracting.com](mailto:chris@ellingsoncontracting.com)  
(479) 644-2363

**GENERAL SITE NOTES**

- EXISTING SHARPY AREA WAS OBTAINED FROM A TOPOGRAPHIC & BOUNDARY SURVEY.
- START POINT IS BASED UPON AND 0.5 STATE PLATE PLUM, ARKANSAS NORTHWEST CORNER.
- CONCRETE SHALL BE 4000 PSI.
- ALL WORK SHALL BE IN ACCORDANCE WITH ALL CITY, COUNTY, STATE AND FEDERAL REGULATIONS AND ORDINANCES.
- THE APPROXIMATE LOCATION OF MAJOR UTILITIES & SURFACE STRUCTURES AS SHOWN PROVIDED. LOCATION OF UNDERGROUND UTILITIES STRUCTURES MAY VARY FROM LOCATION SHOWN HEREON. APPROXIMATE BURIED UTILITIES STRUCTURES MAY BE LOCATED BY THE CITY ENGINEER'S OFFICE.
- LOCATION OF THESE & ALL OTHER SURFACE AND/OR LATENT FACILITIES SHALL BE DETERMINED BY THE OWNER OF THE FACILITY OR STRUCTURE. THE COST OF SUCH REPAIRS NECESSARY SHALL BE BORNE BY THE CONTRACTOR.
- ALL UTILITIES SHALL BE PROTECTED AND MAINTAINED THROUGHOUT THE PROJECT PERIOD.
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**DEMOTION NOTES**

- ALL EXISTING LANDSCAPE TREES TO BE REMOVED. ALL ROCK TO BE HARVESTED, SORTED AND STORED ON SITE.
- REMOVED METAL PIPING OVER 2 INCHES TO BE CLEANED AND REUSED OR REMOVED. REMOVED CONCRETE SHALL BE TO BE RECYCLED OR CLEANLY SMULCHED AND DISPOSED OF.
- EXISTING UTILITIES FOUND ON SITE TO BE REMOVED AND PROTECTED.
- EXISTING LANDSCAPE TREES TO BE LOCATED AND PROTECTED.
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DEMN T VILLE, AR /  
 APN: 765-13466-  
 DEED 95-0223-

**HILLSIDE ORTHODONTICS**  
 1998 N COLLEGE AVE  
 FAYETTEVILLE, AR

PROJECT INFORMATION  
 DATE: 08/20/2024  
 DRAWING NO: 24-000

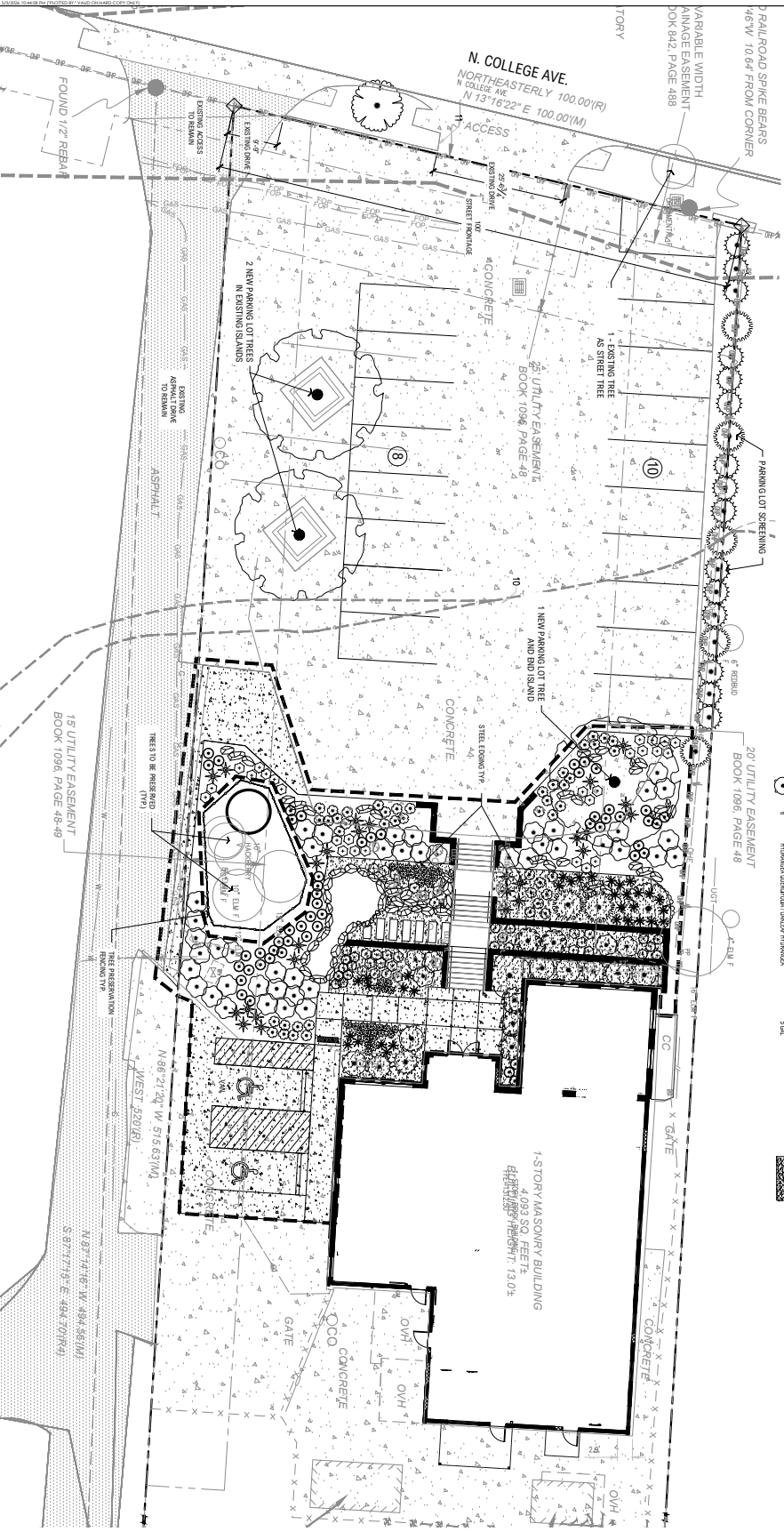
REVISIONS

NO.	REVISION	DATE

PRISM  
 ENGINEERING & CONSTRUCTION  
 1000 W. MAIN ST., SUITE 100  
 FAYETTEVILLE, AR 72701  
 (501) 781-1111  
 WWW.PRISMENGINEERING.COM

Planning Commission  
 May 11, 2026  
 VAR-2026-0011 (PENGUINO PROPERTIES LLC)  
 Page 22 of 29

**1**  
 PLANTING PLAN  
 SCALE: 1"=10'-0"



REGULATIONS & SPECIFICATIONS	REQUIRED	PROVIDED
STREET TREE REQUIREMENTS (NON-RESIDENTIAL) (C.I. 177.45)		
STREET TREES SHALL BE PLANTED (1) TREE PER 30' MEAN FEET ALONG FRONT PROPERTY LINE	2 TREES	2 TREES (1 EXISTING + 1 NEW)
N. COLLEGE AVE. 100' U - 35.25' U OF DRIVEWAY = TOTAL 64.429' U = 2-15' TOTAL TREES REQUIRED		
<b>VEHICULAR USE AREAS (C.I. 177.44)</b>		
<b>THE ISLAND</b> ONE TREE EVERY (1) 20' PARKING SPACES	2 TREE ISLAND TREES	3 TREES (2 IN EXISTING ISLANDS) + 1 IN NEW ISLAND
TOTAL NUMBER OF PARKING SPACES: 227' 12" = 118 TREES		
THREE LANE / ONE TURN (1) TREE EVERY 100' LANE FEET WHICH EVER PROVIDES MORE CROWD		
TOTAL U - 30' = TOTAL NUMBER OF PARKING TREES		
<b>PARKING SCREENING (C.I. 177.54)</b>		
PARKING LOTS CONTAINING FIVE (5) OR MORE SPACES SHALL BE SCREENED FROM THE PUBLIC RIGHT-OF-WAY BY PLANTING TREES AT THE PERIPHERY OF THE LOT. PLANTING SHALL BE LIMITED TO THE ZONES WITH SHIRRS AND/OR GROUD BERMS. IF GROUD BERMS ARE USED, SHIRRS ARE ALSO REQUIRED. 50% OF THE SPACES SHALL BE SCREENED WITH A MINIMUM OF 2.5' TALL CONTAINERS WITH AN EXPECTED HEIGHT OF THREE FEET OR MORE WITHIN (2) YEARS OF PLANTING	REQUIRED	PROVIDED ON NONSCREENING ISLANDS. SCREENING SHALL BE PROVIDED ON EXISTING SHIRRED DRIVE ON SOUTH SIDE
<b>SCREENING LOTS</b>		
ALL PARKING LOTS SHALL HAVE 5 FEET OF LANDSCAPED AREA BETWEEN THE PROPERTY LINE AND EXCEPT FOR PERMITTED DRIVEWAYS, EVERY DEVELOPMENT SHALL BE LANDSCAPED FOR AN EQUAL AND UNIFORM WIDTH OF 15-FOOT WIDE LANDSCAPED AREA ALONG THE RIGHT OF WAY	NA	PROVIDED ON NONSCREENING ISLANDS. SCREENING SHALL BE PROVIDED ON EXISTING SHIRRED DRIVE ON SOUTH SIDE

SYMBOL	SIZE	BOTANICAL / COMMON NAME	ZONE	COL.
	1	CRATAEGUS OXYCOCYDUS 'JAC.' / HERRING BONE + SYSTEM CRIBO	1.0A	157.0A
	2	CHAMAECIPARUS WRIGHTII / HAWK PINE	1.0A	175.0A
	3	QUERCUS SHUMBERGII / SHUMBER OAK	1.0A	225.0A
	4	QUERCUS LAEVOGARRULA / WHITE OAK	1.0A	225.0A
	5	QUERCUS LAEVOGARRULA / WHITE OAK	1.0A	225.0A
	6	QUERCUS LAEVOGARRULA / WHITE OAK	1.0A	225.0A
	7	QUERCUS LAEVOGARRULA / WHITE OAK	1.0A	225.0A
	8	QUERCUS LAEVOGARRULA / WHITE OAK	1.0A	225.0A
	9	QUERCUS LAEVOGARRULA / WHITE OAK	1.0A	225.0A
	10	QUERCUS LAEVOGARRULA / WHITE OAK	1.0A	225.0A
	11	QUERCUS LAEVOGARRULA / WHITE OAK	1.0A	225.0A
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	50	QUERCUS LAEVOGARRULA / WHITE OAK	1.0A	225.0A

**HILLSIDE ORTHODONTICS**  
 1998 N COLLEGE AVE  
 FAYETTEVILLE, AR

**PRISM**  
 PROFESSIONAL SERVICES  
 1801 N. UNIVERSITY BLVD.  
 FAYETTEVILLE, AR 72701  
 (870) 781-1111  
 www.prismar.com

Planning Commission  
 May 11, 2026  
 VAR-2026-0011 (PENGUINO PROPERTIES LLC)  
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**REVISIONS**

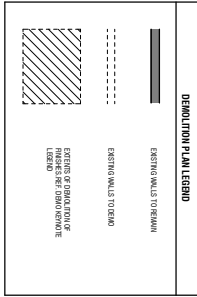
NO.	REVISION	DATE

**PROJECT INFORMATION**

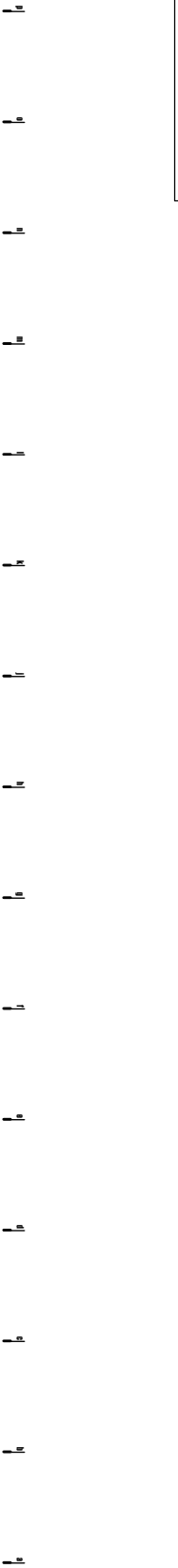
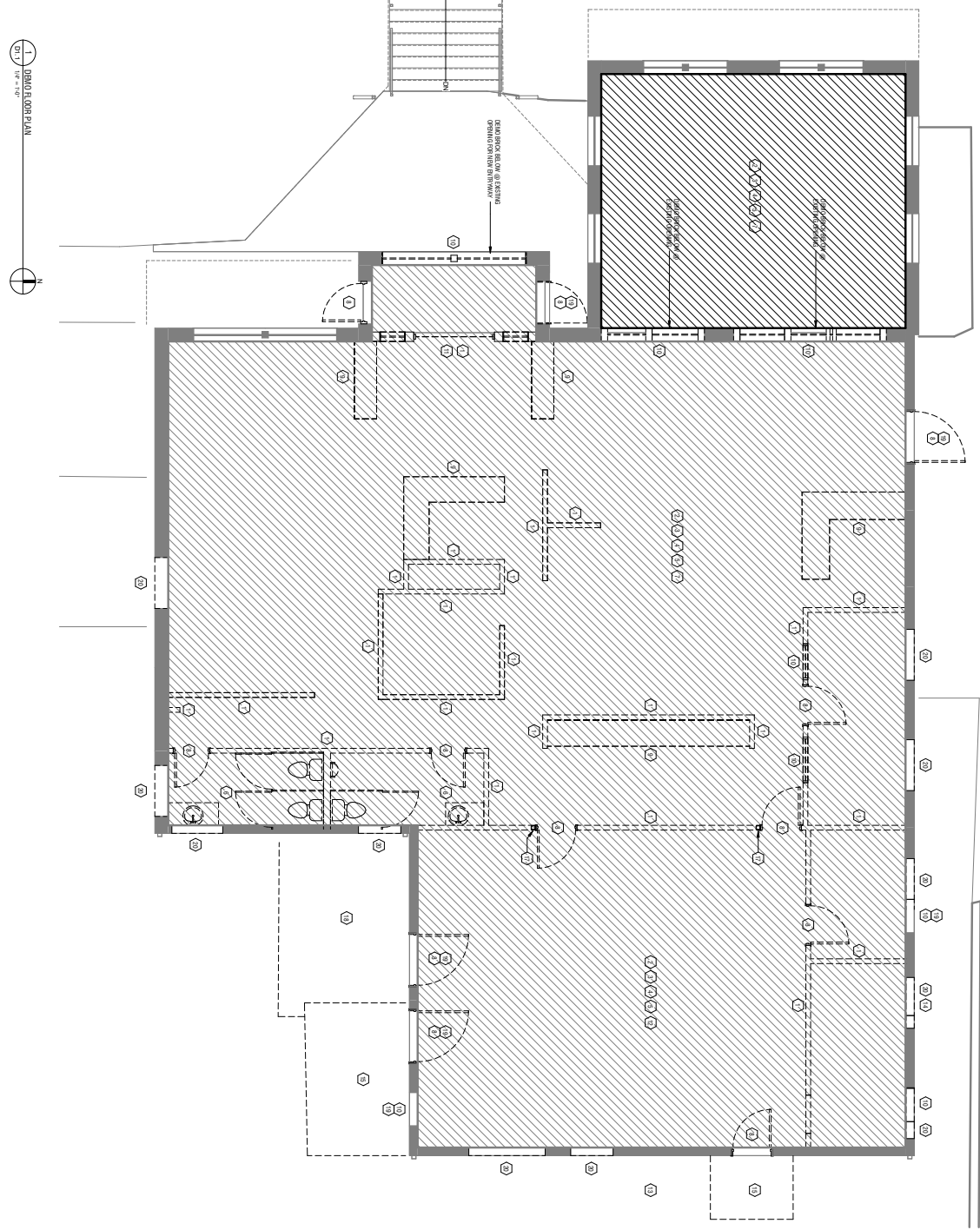
PROJECT: 180\_HILLSIDE ORTHODONTICS  
 DATE: 08/14/2025  
 DRAWN BY: J. W. BERRY  
 CHECKED BY: J. W. BERRY  
 APPROVED BY: J. W. BERRY

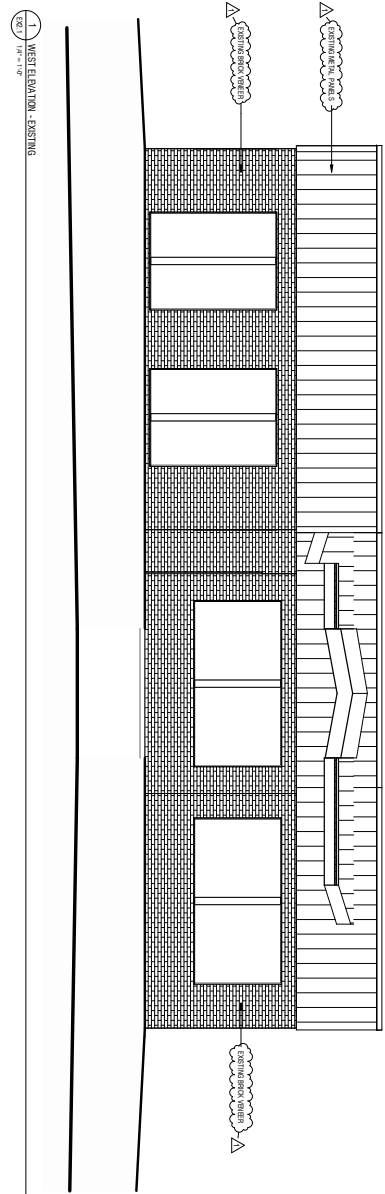
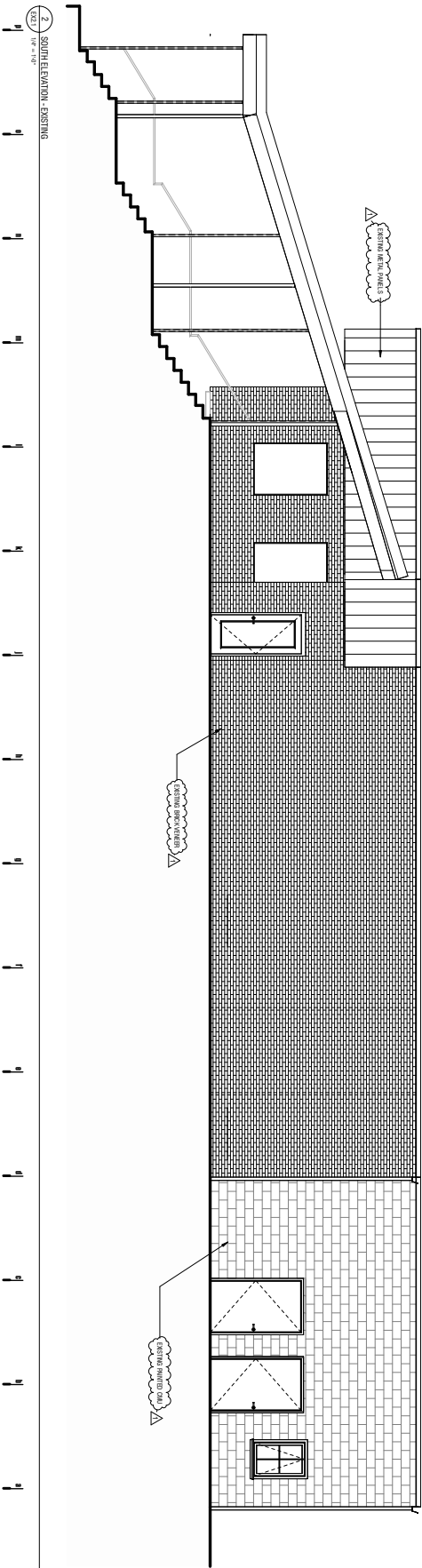
- DEMOLITION PLAN: GENERAL NOTES**
1. VERIFY FIELD EXISTING WALLS AND STRUCTURAL COLLARS, PARTY ARCHITECTURAL WALLS, PARTITION WALLS, AND STRUCTURAL WALLS TO BE DEMOLISHED.
  2. REMOVE AS SHOWN ON ALL EXISTING ROOMS, CORRIDORS, AND STAIRS.
  3. VERIFY ALL EXISTING WALLS TO BE DEMOLISHED TO CORRECTLY REFLECT THE SHOWN AS SHOWN ON THIS PLAN.
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  9. DEMOLITION SHALL BE IN ACCORDANCE WITH ALL APPLICABLE CODES AND REGULATIONS.

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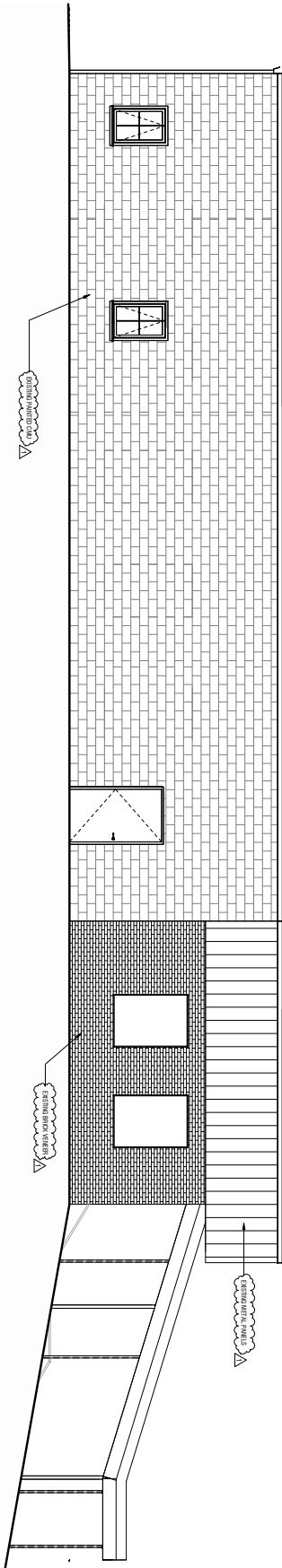
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 2/17/2026  
**EX21**  
 BUDGET  
 \$1425

**RENOVATION'S FOR  
 HILLSIDE ORTHODONTICS**  
 1998 N COLLEGE AVE, FAYETTEVILLE, AR 72703  
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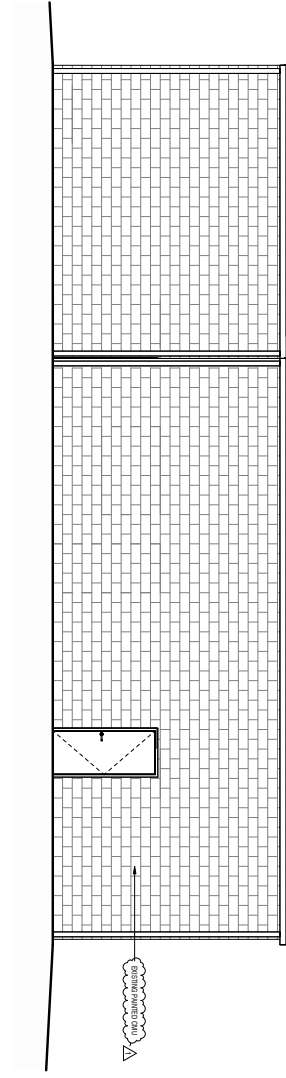
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 ARCHITECTURAL  
 ARCHITECTURAL Commission  
 104 N EAST AVENUE  
 FAYETTEVILLE, ARKANSAS 72701 | 479.906.1111  
 May 11, 2026



2 NORTH ELEVATION - EXISTING  
1/8" = 1'-0"



1 EAST ELEVATION - EXISTING  
1/8" = 1'-0"



2/17/2026  
**EX22**  
BUD SET  
01/23/25

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Project: RENOVATION'S FOR HILLSIDE ORTHODONTICS  
Date: 04/10/2025  
Author: DIXTERSON SOLUTIONS (EXISTING)

**RENOVATION'S FOR HILLSIDE ORTHODONTICS**  
1998 N COLLEGE AVE, FAYETTEVILLE, AR 72703  
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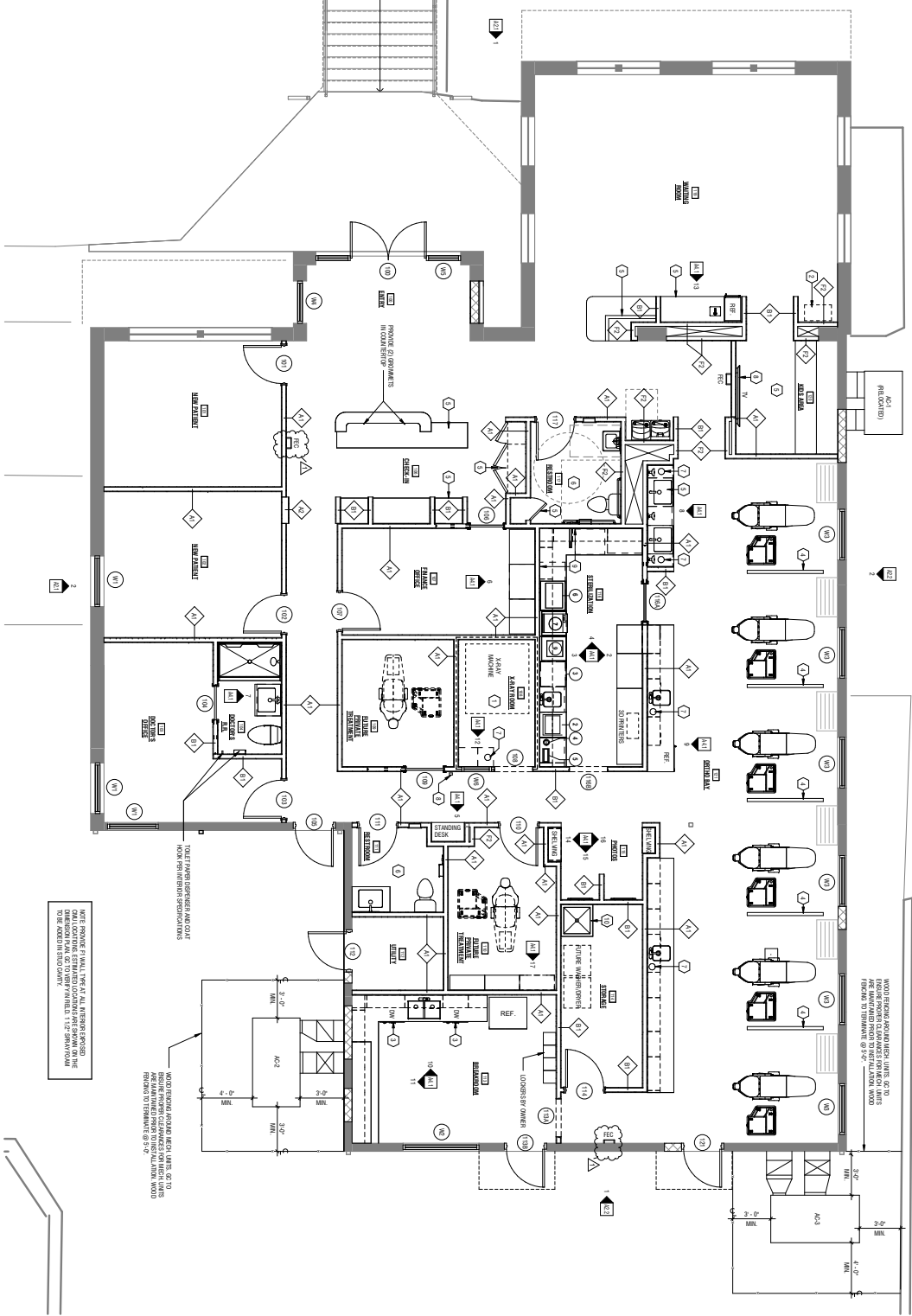
**DEMx** ARCHITECTURE  
Arkansas State Board of Architecture  
104 N EAST AVENUE  
FAYETTEVILLE, ARKANSAS 72701 | 479.908.8100  
May 11, 2026



- MILLWORK KEYNOTE LEGEND**
- 1 BELT LINE DRESSER - COMPANIE WITH MILLWORK SHIP DRAWINGS
  - 2 UNDER COMMERCIAL BROWNE CLEANER
  - 3 AUTO RATED INSURANCE ROOMER
  - 4 SHARP COLLECTION
  - 5 TRIM/CAPIT
  - 6 STAY STRIPS
  - 7 PRIMARY STRIPPER
  - 8 WALL MOUNTED TO OWNER OF TOPROOFER ROOMING
  - 9 AS REQUIRED
  - 10 AUTO RATED WOODER CLEANER
  - 11 BELT LINE WALL STRIPPER - COMPANIE WITH MILLWORK SHIP DRAWINGS
  - 12

- FLOOR PLAN KEYNOTE LEGEND**
- 1 ALL NEW WALLS TO HAVE 1/2" LEAD LINER PER WALL
  - 2 ASIDE MACHINE ROOM/LOCK ROOM - MILLWORK/OWNER PROVIDED OR TO PROVIDE BY OWNER
  - 3 PANEL REPAIR/OWNER'S OWNERS OF THE COMPANY
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- LEGEND: FLOOR PLAN**
- 1 DRESSING WALLS
  - 2 NEW GYM WALLS
  - 3 NEW WALLS
  - 4 1/2" LEAD LINED WALLS
  - 5 WINDOW HAD
  - 6 WALL TAD
  - 7 ROOM TAD
  - 8 DOOR TAD
  - 9 RECEPTIONS SYMBOL



NOTE: ALL MILLWORK TO BE INSTALLED IN ACCORDANCE WITH THE MILLWORK KEYNOTE LEGEND. ALL MILLWORK TO BE INSTALLED IN ACCORDANCE WITH THE MILLWORK KEYNOTE LEGEND. ALL MILLWORK TO BE INSTALLED IN ACCORDANCE WITH THE MILLWORK KEYNOTE LEGEND.

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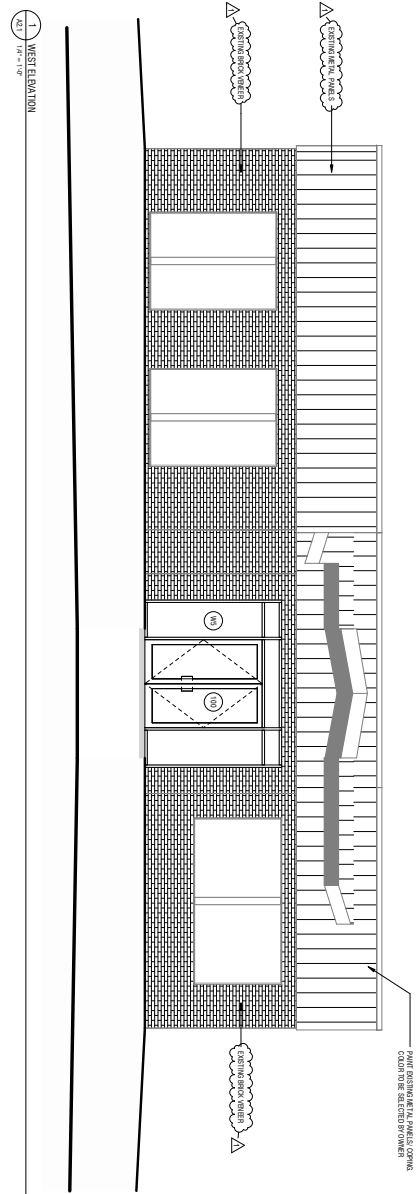
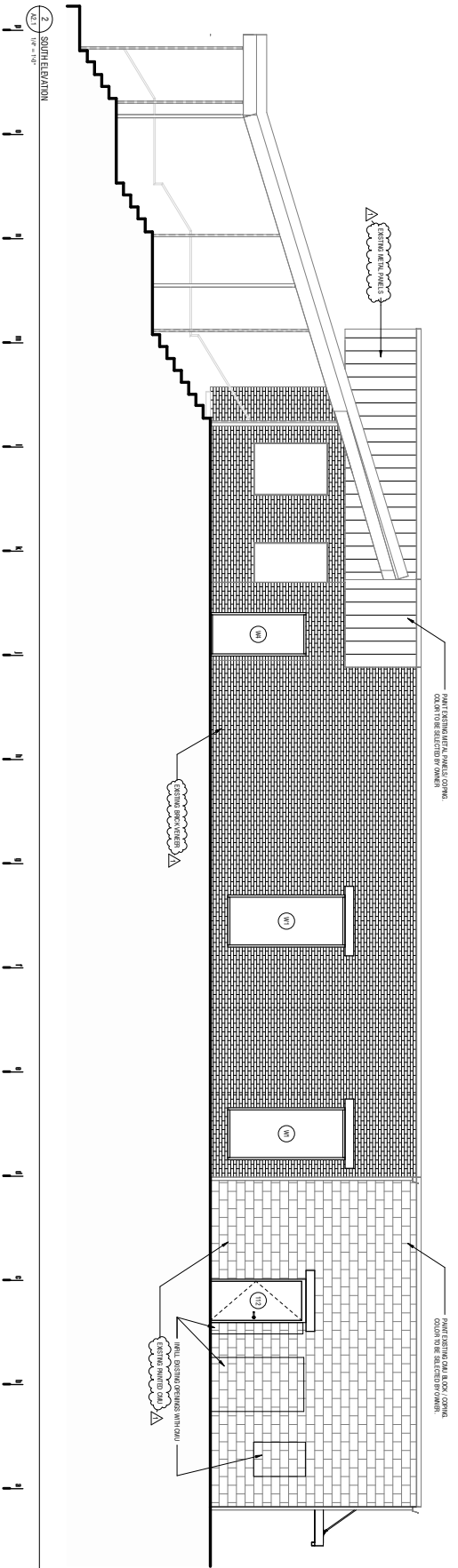
**ALL** BUDGET \$12K

2/17/2026

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**RENOVATION'S FOR HILLSIDE ORTHODONTICS**  
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**DEMx** ARCHITECTURE  
 Planning Commission  
 104 N EAST AVENUE  
 FAYETTEVILLE, ARKANSAS 72701 | 479.566.1111  
 May 11, 2026



2 SOUTH ELEVATION  
1 WEST ELEVATION

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Paint  
Revised: 04/10/2026

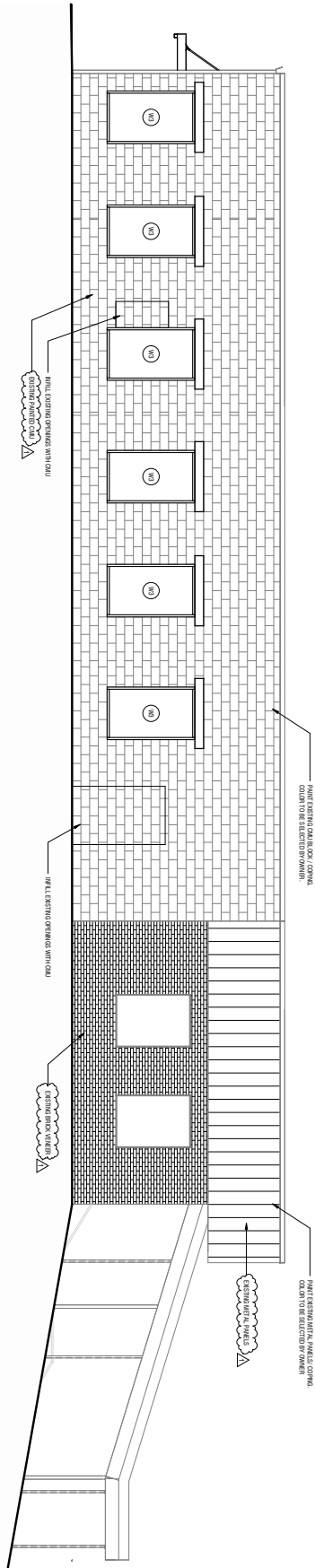
**A21**  
BUDGET  
\$1425

**RENOVATION'S FOR HILLSIDE ORTHODONTICS**  
1998 N COLLEGE AVE, FAYETTEVILLE, AR 72703

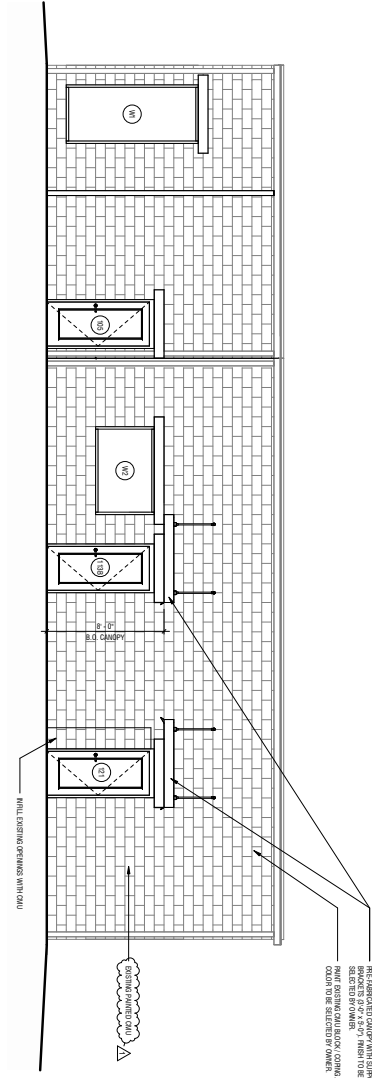
**DEMx** ARCHITECTURAL PLANNING  
104 N EAST AVENUE  
FAYETTEVILLE, ARKANSAS 72701 | 479.566.8888



2 NORTH ELEVATION  
1/4" = 1'-0"



1 EAST ELEVATION  
1/4" = 1'-0"



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ARCHITECT  
REVISED  
DATE: 04/10/2026

**A22**  
BUDGET  
ELEVATIONS  
\$1285

2/17/2026

**RENOVATION'S FOR  
HILLSIDE ORTHODONTICS**

1998 N COLLEGE AVE, FAYETTEVILLE, AR 72703

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**DEMx**  
ARCHITECTURE  
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Professional Seal of the Arkansas Board of Architecture  
May 11, 2026



**TO:** Fayetteville Planning Commission

**THRU:** Jessie Masters, Planning Director

**FROM:** Donna Wonsower, Planner

**MEETING DATE:** May 11, 2026

**SUBJECT:** **VAR-2026-0012: Planning Commission Variance (NORTHEAST CORNER OF N. PARK AVE & W. LOUISE ST/REINDL INVESTMENTS LLC & DOTSON WILLIAMS LLC, 445)** Submitted by FLINTLOCK, LTD COS for property located AT THE NORTHEAST CORNER OF N. PARK AVE. AND W. LOUISE ST. The property is zoned RMF-24, RESIDENTIAL MULTI-FAMILY, TWENTY-FOUR UNITS PER ACRE and contains approximately 0.40 acres. The request is for a variance to the residential street sections.

**RECOMMENDATION:**  
Staff recommends approval of **VAR-2026-0012** with conditions.

**RECOMMENDED MOTION:**  
*"I move to approve VAR-2026-0012, recommending:*

- *In favor of a variance to §166.11(A), and*
- *In favor of all conditions as recommended by staff."*

**BACKGROUND:**  
The subject property is located in central Fayetteville directly east of Wilson Park at the northeast corner of the intersection between N. Park Ave. and W. Louise St. The site consists of three parcels totaling 0.40 acres which are zoned RMF-24, Residential Multi-Family, Twenty-Four Units per Acre. There are currently three existing residential structures built in 1948, 1951, and 1951 which are proposed to be demolished. Two of these structures are two-family dwellings and one is a three-family dwelling. There are no protected streams, FEMA-designated floodplains, or hydric soils present on the site, and no overlay districts or planning areas apply. Surrounding land use and zoning is depicted in Table 1.

**Table 1:  
Surrounding Land Use and Zoning**

Direction	Land Use	Zoning
North	Single-Family Residential	RMF-24, Residential Multifamily, 24 Units per Acre
South	Single-Family Residential	RSF-4, Residential Single-Family, Four (4) Units per Acre
West	Wilson Park	P-1, Institutional
East	Mixed-Density Residential	RMF-24, Residential Multifamily, 24 Units per Acre

*Request:* The applicant is requesting a variance to UDC §166.11(A) in order to provide street improvements that vary from typical master street plan standards.

## DISCUSSION

**UDC §166.11(A), Conformance to Plans and Regulations – Streets. Interior streets and streets adjacent to the project frontage shall be improved to meet Master Street Plan standards.** The applicant is requesting to vary from this standard to provide atypical street improvements for the property's frontage along N. Park Ave. and W. Louise St., including narrower sidewalks, varying green space widths, sidewalks located at back of curb, and removal of on-street parking.

*Staff recommendation: Staff is partially supportive of this request. The applicant is requesting to utilize a narrower street section for N. Park Ave. in line with historic development patterns of the area, and to also address steep slopes and existing tree canopy. While the subject parcels are outside of the bounds of the Oak Grove Historic Neighborhood, the property is in close proximity and is developed in a similar manner.*

*The applicant currently proposes street sections with twenty-foot pavement and five-foot sidewalk. The applicant also proposes a five-foot sidewalk and five-foot greenspace where the master street plan calls for six. A five-foot greenspace is proposed along N. Park Ave., and sidewalk is proposed at back of curb along W. Louise. Staff is generally not supportive of the reduced sidewalk width and recommends that sidewalk be provided per the typical master street plan width. Given the proximity of Wilson Park, staff anticipates this area could see a high degree of foot traffic, particularly as gaps in the sidewalk network continue to close. Given this and shy distance requirements that could be triggered by the steep slopes, staff recommends six-foot sidewalks be required per the typical master street plan section.*

*While several public comments have discussed construction of sidewalk along the southern side of W. Louise, staff finds that additional right-of-way dedication would be necessary in order to do so since existing right-of-way ends at the southern pavement line. Such acquisition would be considered an off-site improvement that is likely to exceed rough proportionality of the depicted site plan. Public comment also discussed fee-in-lieu along W. Louise; however, staff would not be supportive of a fee-in-lieu for sidewalk along either street given the property's direct frontage adjacent to the heavily trafficked Wilson Park. Construction of sidewalk along Louise would substantially close a gap in the existing sidewalk system along Louise between Park Ave. and N. Forest Ave., improving access to a major city amenity.*

*No on-street parking is proposed along either street. As shown, the plans would involve narrowing N. Park Ave. along the property's frontage by approximately five feet. Ten units are proposed with eight units sharing a single driveway off of N. Park Ave. Initial plans indicated garages for these eight units. An additional two units fronting W. Louise are proposed with no driveway access. It is unclear how required minimum parking spaces will be met for these units given the lack of driveway or garage access, lack of proposed on-street parking, inability to park within the shared driveway without blocking access for other units. As such, staff is not supportive of removing on-street parking from the required street section for either N. Park Ave. or W. Louise St. Rather, staff recommends on-street parking with sidewalk located at back of curb, which would require one foot less right-of-way than the applicant's proposed section. An exhibit is attached clarifying staff's recommendation.*

*Generally, staff finds that a narrower street section with sidewalk at the back of curb aligns with the existing street conditions and that a narrower street section would better accommodate the steep slopes in the area. Staff recommends in favor of locating the*

*sidewalk at the back of curb provided that on-street parking is included which can act as a buffer between pedestrians and vehicle travel lanes.*

*Public Comment:* Three members of the public have provided comment on the requested variance, citing concerns about the lack of on-street parking (particularly adjacent to units 5 and 6), potential for parking overflow into surrounding streets where units do not have off-street parking, the impact of proposed improvements including sidewalk on the existing tree canopy, and lowering of property values. There were also questions about a possible fee-in-lieu for sidewalk along Louise and whether that sidewalk could be constructed on the south side of the street.

**RECOMMENDATION: Staff recommend approval of VAR-2026-0012 with the following conditions.**

**Conditions of Approval:**

1. **Planning Commission determination of a variance to §166.11(A), Conformance to Plans and Regulations.** *Staff recommends approval of the requested variance with conditions:*
  - a. *On-street parking shall be provided along N. Park Ave. and W. Louise St.*
  - b. *The greenspace between the sidewalk and curb may be removed, with street trees to be planted behind the sidewalk.*
  - c. *A six-foot sidewalk shall be provided in line with typical requirements.*
  - d. *Right-of-way shall be dedicated to the back of sidewalk.*
  
2. Approval of this variance does not represent overall development entitlement approval for the project, nor grant approval for any associated grading or building permits, nor does it grant final approval of certificate of occupancy.

<b>PLANNING COMMISSION ACTION:</b>	Required	<u>YES</u>	
Date: <u>May 11, 2026</u>	<input type="checkbox"/> Tabled	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Motion:			
Second:			
Vote:			

## BUDGET/STAFF IMPACT:

None

## ATTACHMENTS:

- Unified Development Code:
  - §166.11 Conformance to Plans and Regulations
  - Residential Link Section
  - Alternative Residential Link Section
- Project Maps
  - One Mile Map
  - Close-Up Map
  - Current Land Use Map
- Staff Exhibits
  - Long Range Planning Memo
  - Engineering Memo
  - N. Park Ave Sections
  - W. Louise St. Sections
- Applicant Exhibits
  - Cover Letter
  - Site Plan

### 166.11 Conformance To Plans And Regulations

(A) *Conform to Plans and Regulations.* The subdivision shall conform to the official plans and regulations that make up the Comprehensive Land Use Plan including the Future Land Use Plan, the Master Street Plan, access control, setback ordinances, the Community Facilities Plan and Zoning, Chapters 160 through 164.

(B) *Reserve Sites for Public Use.*

- (1) For a period of six (6) months after submitting application for approval of a preliminary plat with the Planning Commission, the Planning Commission may require the subdivider to reserve sites for public use that are indicated within the boundaries of the proposed subdivision which are indicated on an officially adopted plan, to permit the public board, commission, or body having jurisdiction, or financial responsibility, the opportunity to acquire said sites.
- (2) The subdivider at his or her option may provide such areas or may be required to make them available for acquisition by the city under statutory procedure. All such areas shall be maintained at the expense of the city or other body which may be involved.

(C) *Future Acquisition.* The Planning Commission may require the subdivider to establish building lines to allow for future acquisition of right-of-way for streets on the Master Street Plan.

(Code 1965, App. A., Art. 8(10.1); Ord. No. 1747, 6-29-70; Ord. No. 3073, 3-19-86; Code 1991, §160.119; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4919, 9-05-06; Ord. No. 6350, §5(Exh. D), 8-18-20)

**Residential Link Street** - Design Service Volume: <4,000 vpd - Desired Operating Speed: 15-20 mph

The residential link street section is intended to be the standard in neighborhoods and low-volume areas outside of the downtown. Generous greenspace and a comfortable sidewalk are coupled with on-street parking to create a safe environment for all modes and abilities. Most residential link streets will have a design service volume <1,500 vpd allowing bicycles to intermix with traffic safely. On-street protected bike facilities should be considered where traffic volumes or speeds exceed thresholds for all ages and abilities. Residential links should be designed and proposed meeting block length, connectivity, and access management codes. Storm drainage infrastructure should have adequate depth or be offset to avoid conflicts with street tree plantings. Low-Impact Development (LID) features in green spaces are recommended best practices to incorporate alternative stormwater treatment techniques.

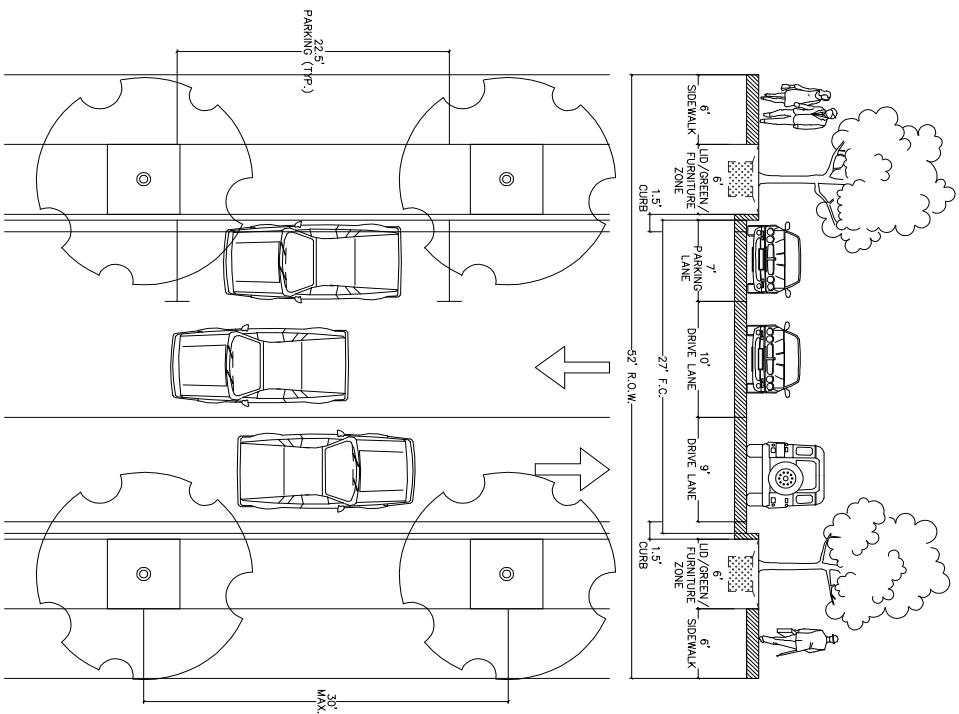


Figure 12.8 - Residential Link Street

- As determined by city staff, additional roadway elements may be required and include:
- An additional 2-ft frontage zone where buildings abut right-of-way. This may be accomplished with setbacks or additional right-of-way.
  - Streets planned with on street bike facilities as shown on the Active Transportation Plan, shall accommodate one 10-ft sidewalk, as determined by the Zoning and Development Administrator, by increasing right-of-way by 4-ft.

Alternative design elements may be approved administratively and include:

- Removal of the 7-ft parking lane will be considered when adequate parking is provided elsewhere.

Minimum Right-of-Way: 45-feet  
 Maximum Right-of-Way: 52-feet



## Alternative Residential Link Street - Desired Operating Speed: 15-20 mph

The alternative residential link street section is intended to reduce the footprint of the residential street scape while keeping a safe environment for all modes and abilities. Storm drainage infrastructure should have adequate depth or be offset to avoid conflicts with street tree plantings. Low-Impact Development (LID) features in green spaces are recommended best practices to incorporate alternative stormwater treatment techniques.

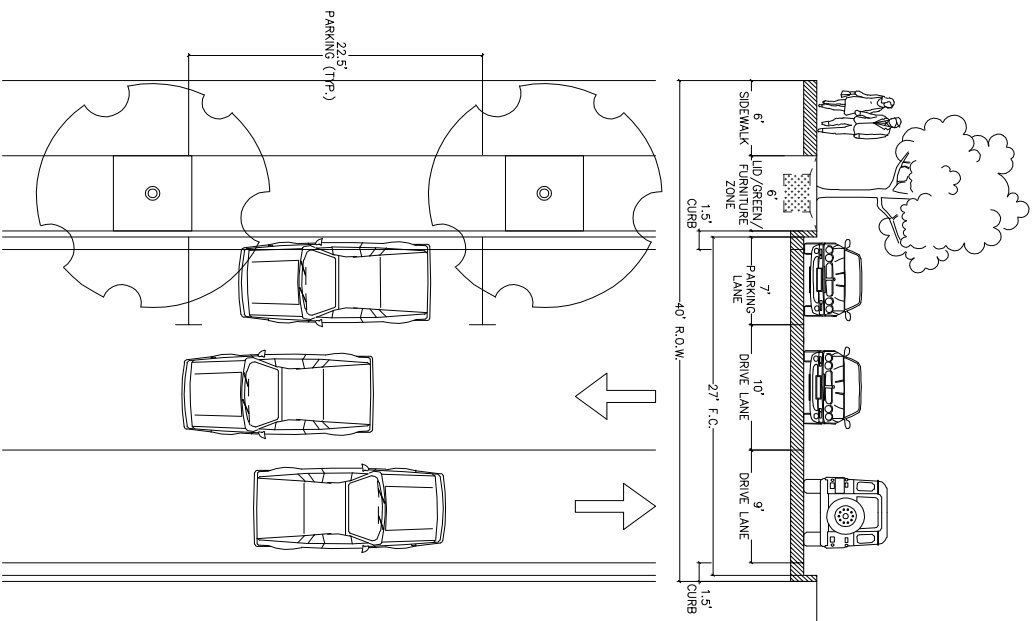


Figure 12.9 - Alternative Residential Link Street

The alternative residential link street section shall require Planning Commission approval in areas other than the Hilltop-Hillside Overlay District and the following should be taken into consideration:

- Block lengths less than or equal to 400-feet
- Environmental reasons where no other section is applicable
- Historic streets for small infill projects
- Streets with less than 250 vehicles per day
- Alley-loaded development

As determined by city staff, additional roadway elements may be required and include:

- An additional 2-ft frontage zone where buildings abut right-of-way. This may be accomplished with setbacks or additional right-of-way.
- Streets planned with on street bike facilities as shown on the Active Transportation Plan, shall accommodate one 10-ft sidewalk by increasing right-of-way by 4-ft.

Alternative design elements may be approved administratively and include:

- Removal of the 7-ft parking lane will be considered when adequate parking is provided elsewhere.

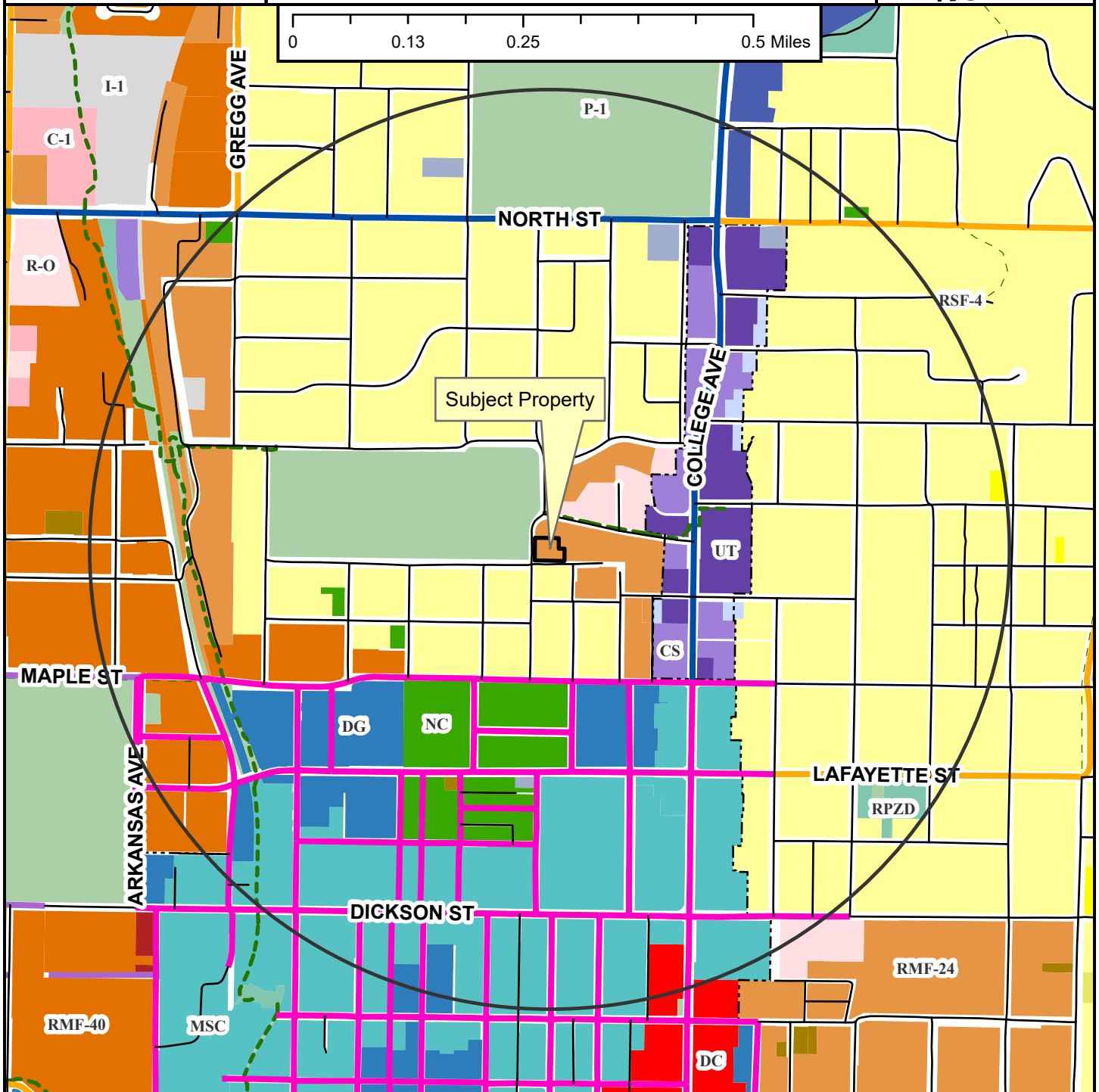
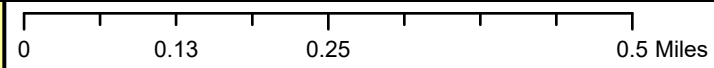
Minimum Right-of-Way: 33-feet

Maximum Right-of-Way: 40-feet

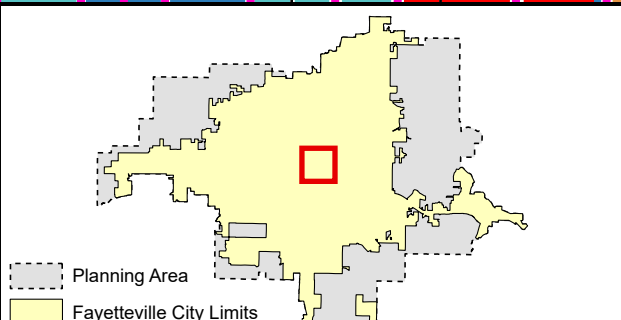
VAR-2026-0012

# 42 W LOUISE ST UNIT A, 630 UNIT B & 632 N PARK AVE

One Mile View



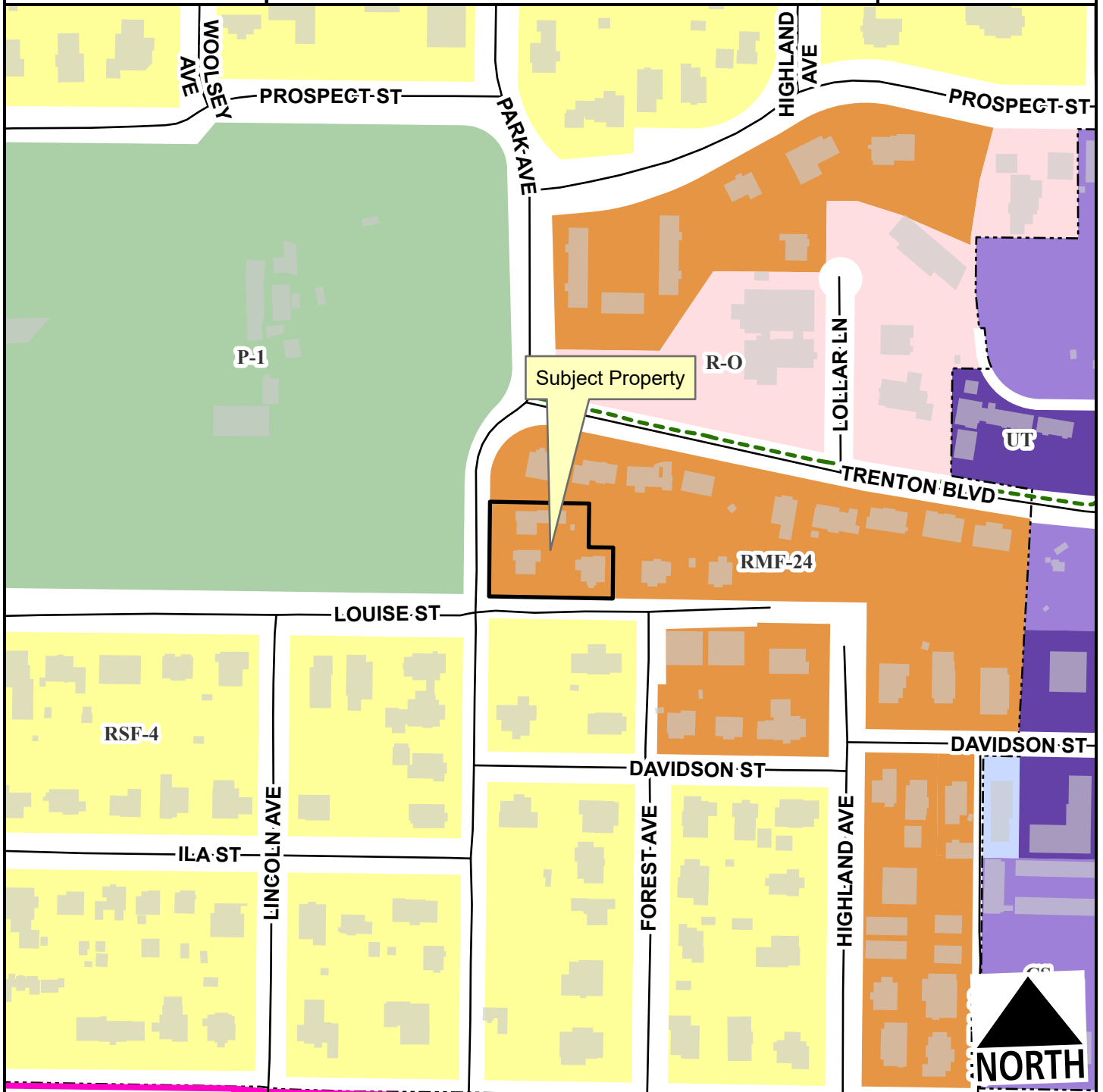
- Neighborhood Link
- Institutional Master Plan
- Regional Link - High Activity
- Urban Center
- Unclassified
- Alley
- Residential Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Design Overlay District
- Fayetteville City Limits
- Planning Area



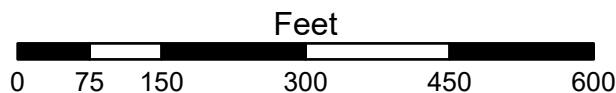
VAR-2026-0012

# 42 W LOUISE ST UNIT A, 630 UNIT B & 632 N PARK AVE

Close Up View



- Urban Center
- Alley
- Residential Link
- Planning Area
- Fayetteville City Limits
- Shared-Use Paved Trail
- Design Overlay District



1:2,400

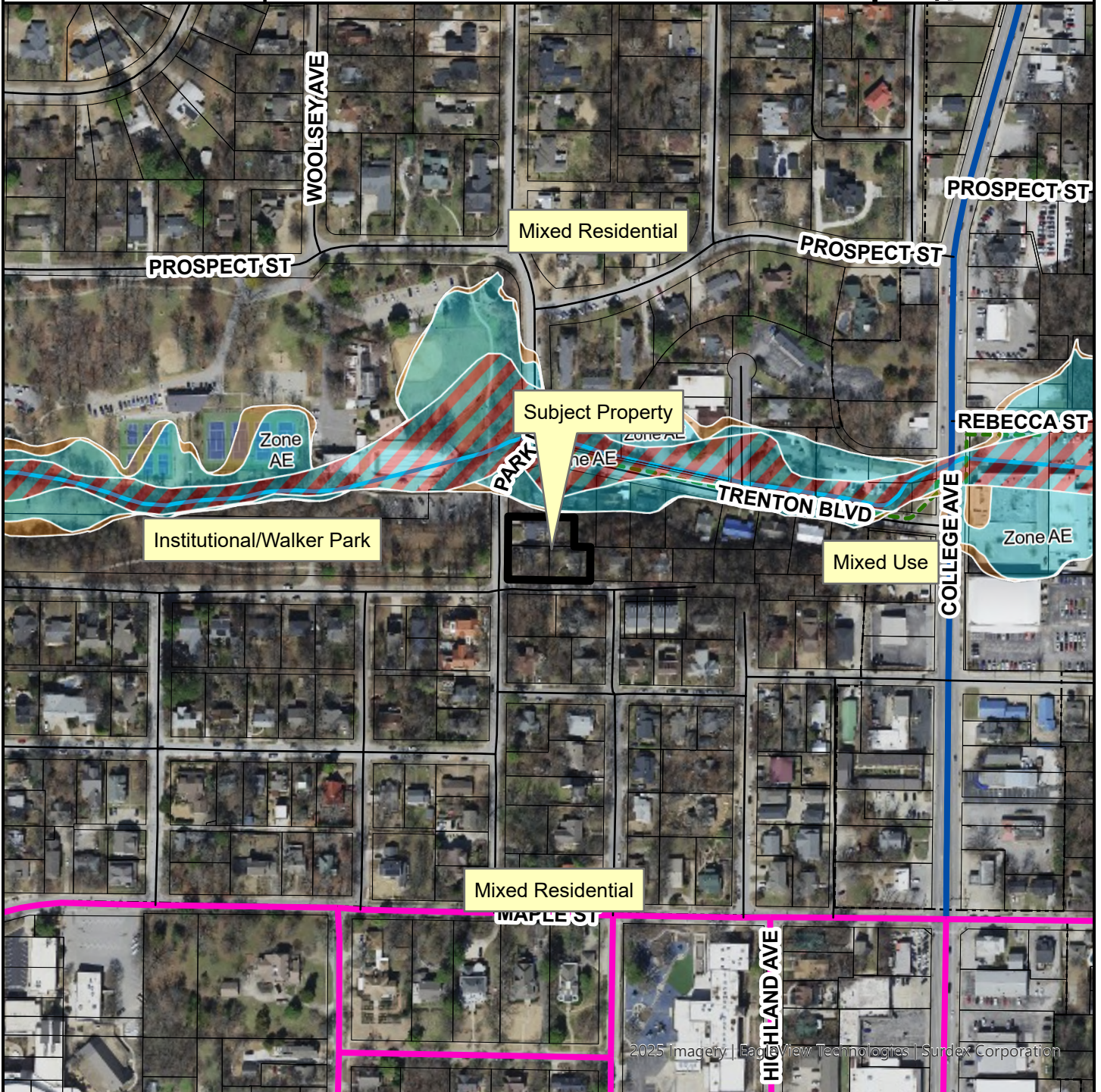


VAR-2026-0012

# 42 W LOUISE ST UNIT A, 630 UNIT B & 632 N PARK AVE UNIT

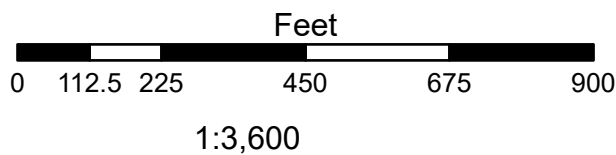


Current Land Use



2025 Imagery | EagleView Technologies | Surdex Corporation

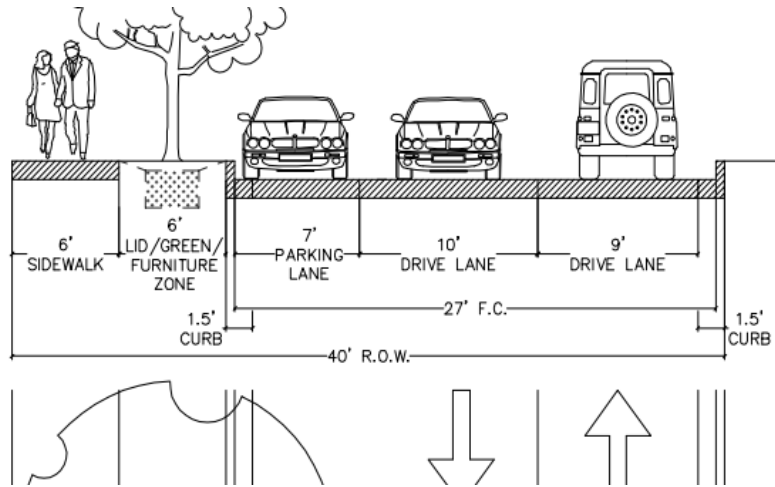
- Regional Link - High Activity
- Urban Center
- Alley
- Residential Link
- Planning Area
- Fayetteville City Limits
- Design Overlay District



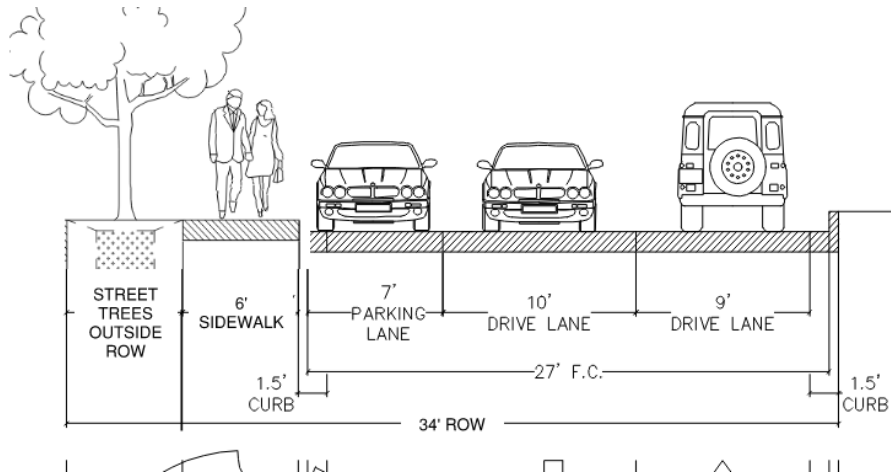
### FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

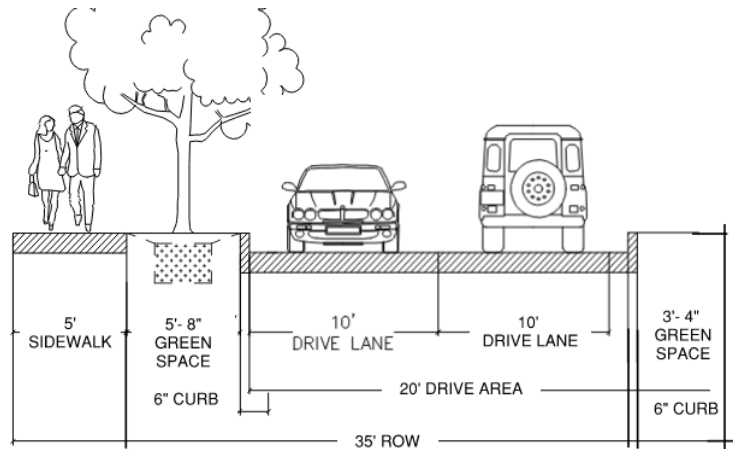
**STAFF EXHIBIT:  
N. PARK AVE STREET SECTION**



**Typical Alternative Residential Link Section**

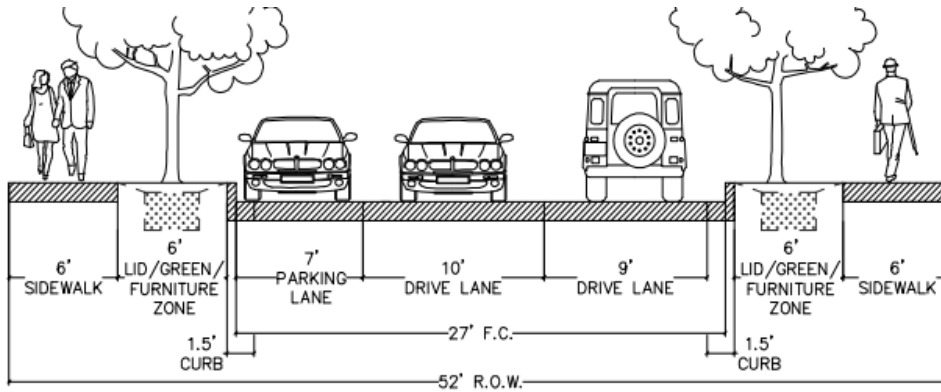


**Staff Recommendation: Modified Alternative Residential Link Section**

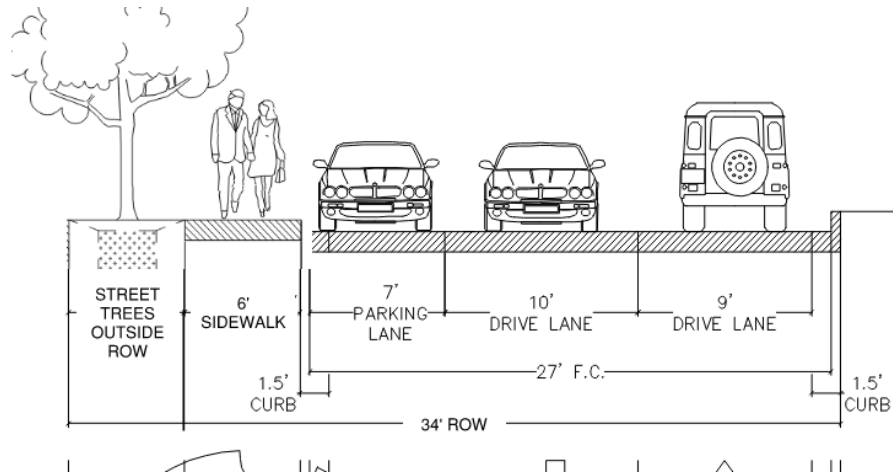


**Applicant Proposed Section**

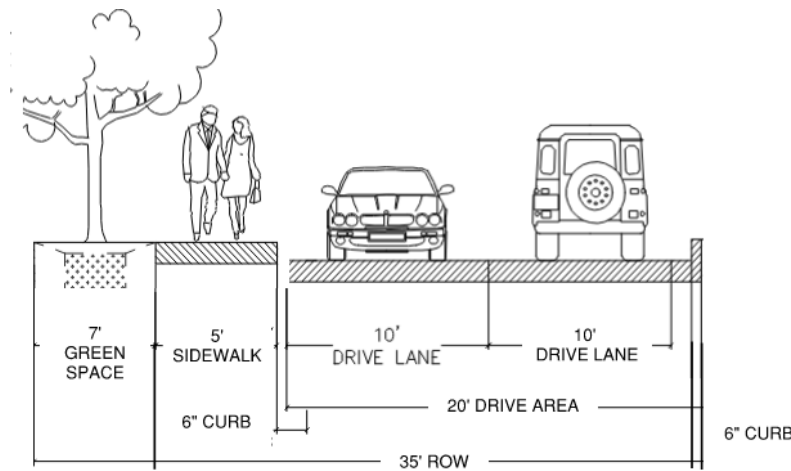
**STAFF EXHIBIT:  
W. LOUISE STREET SECTION**



**Typical Residential Link Section**



**Staff Recommendation: Modified Alternative Residential Link Section**



**Applicant Proposed Section**



**TO:** Donna Wonsower, Senior Planner

**FROM:** Justin Bland, City Engineer

**DATE:** May 6, 2026

**SUBJECT:** **Planning Commission Engineering Comments for  
VAR-2026-0012**

---

**N. Park Ave.** – Engineering staff is not supportive of the request to narrow the road and remove the potential for on street parking. However, we are supportive of constructing the sidewalk at the back of curb along N. Park Ave. Due to the close vicinity of Wilson Park plus the addition of these units that don't have dedicated parking for every unit, on-street parking will be a premium.

**W. Louise St.** – Engineering staff is supportive of constructing the sidewalk at the back of the curb along W. Louise St. due to the topography and if it will help save existing trees on the property. Staff does recommend that the sidewalk be built with this project rather than paying a fee-in-lieu. This is to accommodate walkability in this neighborhood which is adjacent to Wilson Park.



**TO:** Donna Wonsower, Senior Planner

**FROM:** Kylee Cole, Long Range & Preservation Planner

**MEETING DATE:** May 11, 2026

**SUBJECT:** Long Range Planning Comments Regarding VAR-2026-0012

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**Recommendation:**

Long Range Planning staff recommend *partial approval with conditions* of this variance request, as it provides reasonable site-specific accommodation and appropriate continuity with the adjacent Oak Grove Local Historic District. When balanced with conditions outlined below, these variances provide reasonable flexibility while supporting stated goals for infill development where infrastructure already exists.

**Background:**

The applicant is requesting a variance from the City's Master Street Plan standards for a Residential Link Street. Typically, development on a Residential Link Street would require street improvements meeting the MSP standards including 6-foot sidewalk and 6-foot greenspace and a 7-foot on-street parking lane.

The subject property is not within the Oak Grove Local Historic District and is therefore not subject to Historic District Commission review. However, it is just north of the northern district boundary that follows the street centerline along a portion of Louise Street to the intersection with N. Park Ave. The historic streetscape within Oak Grove is a character-defining feature of the neighborhood and improvements to the streetscape immediately adjacent to the district should be considered within this larger context.

The applicant is requesting a 5-foot back-of-curb sidewalk without on-street parking along W. Louise St., which is complimentary to the existing conditions within Oak Grove. Areas along N. Park Ave., N. Forest Ave., and E. Davidson St. feature back of curb sidewalks, and the sidewalk width ranges from 3.5 to 6 feet wide. The proposed dimensional variances from typical MSP are appropriate in context of the adjacent historic neighborhood, but care should be taken to balance concern for existing trees and streetscape with end-user parking needs.

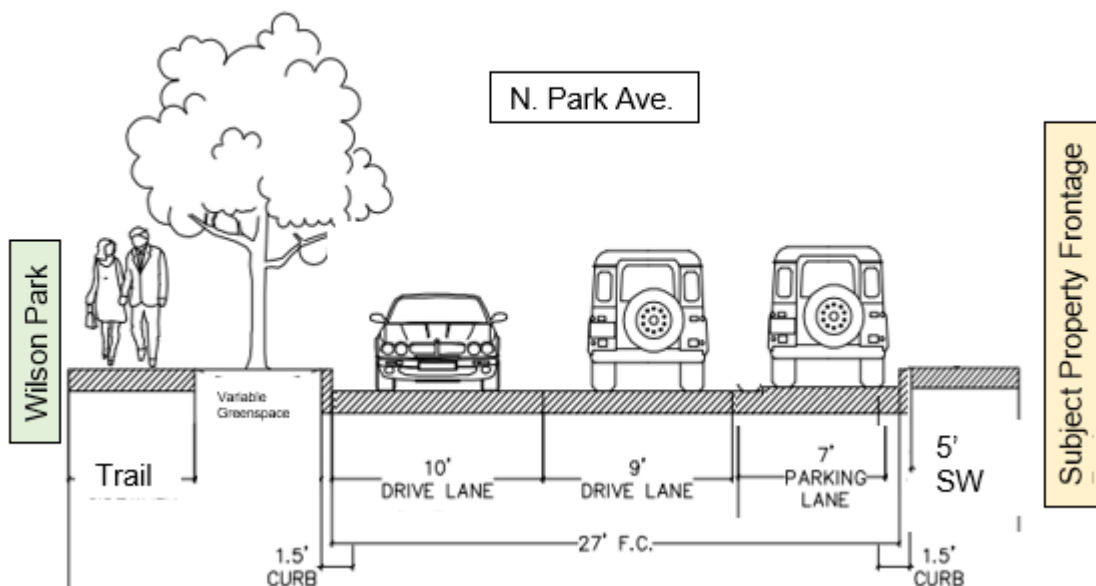
**Discussion:**

The site plan indicates a site development with 10 dwelling units dispersed through a mix of single- and two-family homes. All dwelling units have some form of on-site parking, except for those labeled "House 5" and "House 6," which have frontage along W. Louise Street. Typically, these would require at least 4 parking spaces on site. Parking requirements can also be met when adequate on-street parking is available nearby, but currently and as proposed no on-street parking is available on the NW block of W. Louise and N. Park. The nearest on-street parking is available around 125 feet west of the Louise/Park intersection and is shared with users of Wilson Park.

Since House 5 and 6 are small one-bedroom dwellings, it would be reasonable to provide at least one parking space for each unit somewhere on the site, particularly if the site will function as a Horizontal Property Regime (HPR), or alternatively along the street.

Long range staff will defer to current planning and engineering for a full assessment of parking adequacy, but will note a few options that would balance end-user experience and neighborhood parking concerns with minimal disruption to the existing site conditions as requested in the letter:

1. Approve the variance requests with the condition that the applicant will modify the site plan to facilitate at least two additional on-site parking spaces that would serve houses 5 and 6. This would provide parking for each dwelling and preserve existing trees along W. Louise St.
2. Approve the variance requests along W. Louise St. with the condition that two on-street spaces will be facilitated along N. Park Ave. so parking is available on the block. This would include approving a variance removing the greenspace in favor of on-street parking with a sidewalk at back of curb. To facilitate a 5'0" back-of-curb sidewalk, a small amount of ROW (approximately 0" – 1' 6", variable) would need to be dedicated along N. Park Ave.



3. Approve the variance requests along N. Park Ave., including the narrower greenspace (5'-8") and sidewalk (5'-0") as proposed, and require on-street parking to facilitate at least two spaces along W. Louise Ave. Areas along W. Louise Ave. not used for on-street parking could meet the reduced sidewalk and greenspace dimensions as proposed to avoid conflict with existing significant trees.

April 13, 2026

## 632 N PARK

### PETITION FOR STREET IMPROVEMENTS VARIANCE

Dear Fayetteville City Staff and Planning Commission,

Flintlock LTD Co on behalf of Ameriland Capital, respectfully requests the following variances:

- A variance to provide a 5' wide sidewalk on W Louise St. at the back of curb instead of the back of greenspace to preserve existing significant trees.
- A variance to omit the on street parking along W Louise St and provide the minimum 33' MSPRW in order to preserve the existing trees on both sides of the street.



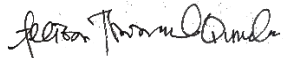
- A variance to provide an alternative street section on N Park Ave due to the existing surrounding site conditions. The current 35' MSPRW meets the minimum street ROW for the Alternative Residential Link Street Section while preserving the existing trees and sidewalks within Wilson Park. This proposed street section allows for continuity for both pedestrians and vehicles in the area.



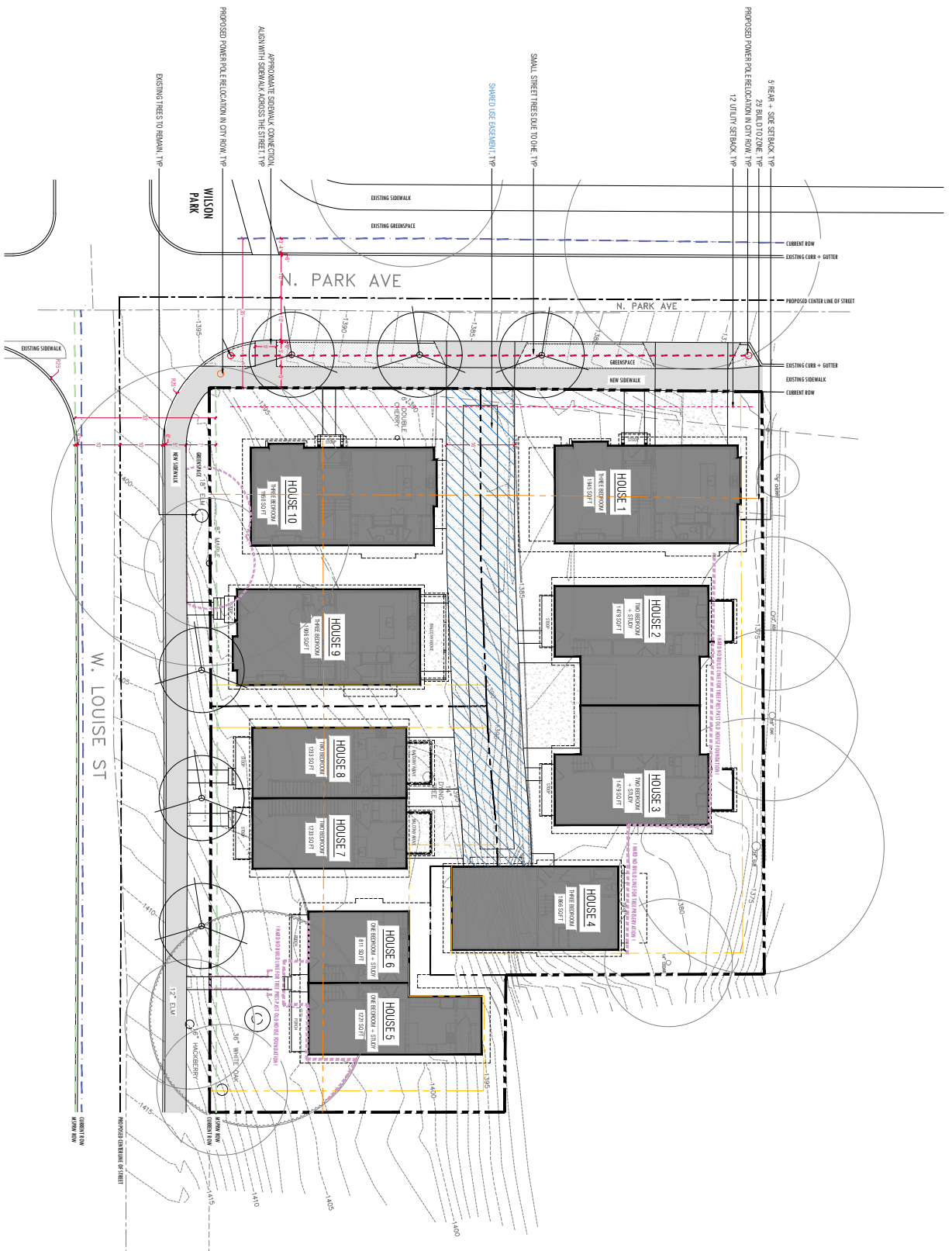
The narrow streets with back of curb sidewalks have been proposed to be included as part of the historic character of the Oak Grove Historic Neighborhood, directly to our south. Combined with the hardship of the topography of this section of Louise (with more than 5' of fall in the first 10' back from the ROW) and the opportunity to save several large existing trees in the ROW, we propose matching the historic streetscape pattern of the Oak Grove neighborhood.

Granting of these variances will allow development of this property in a manner that is reasonable, customary, and consistent with other properties in the area.

Respectfully,  
FLINTLOCK LTD CO



Allison Thurmond Quinlan  
*AIA RLA LEED AP*  
Principal Architect



1 SITE PLAN  
 SCALE 1/2" = 1'-0"



5122 N. Mississippi  
 Fayetteville  
 AR 72701  
 T. 479.305.2666  
 www.rangefarm.com



Planning Commission  
 May 11, 2026  
 Page 17 of 25

VAR-2026-0012 (REINDL INVESTMENTS LLC & DOTSON LLC)

NO. Date Reused/Revised  
 NOT FOR CONSTRUCTION  
 632 N PARK AVE  
 FAYETTEVILLE, AR  
 REBENT SET  
 DRAWN BY:  
 CHECKED BY:  
 DATE: April 13, 2026  
 SCALE: 3/32" = 1'-0"  
 L1.0

## Wonsower, Donna

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**From:** Adele Fournet <adelefournet@gmail.com>  
**Sent:** Monday, May 4, 2026 9:33 AM  
**To:** Wonsower, Donna  
**Subject:** Re: Concern Regarding Parking Plan – 632 N Park Avenue Development

**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.

Just as a follow-up for clarification: My house is at 601 N. Forest Ave!

Thanks so much,

Adele Fournet  
[www.adelefournet.com](http://www.adelefournet.com)  
She/Her/Ella

On Mon, May 4, 2026 at 10:24 AM Adele Fournet <[adelefournet@gmail.com](mailto:adelefournet@gmail.com)> wrote:

Dear Ms. Wonsower,

I am writing regarding the proposed development at 632 N Park Avenue and the associated parking plan for Units 5 and 6 on W. Louise Street.

As a nearby homeowner, I am concerned about the plan to not provide off-street parking for these two units while off-road parking is being created for the other units in the development. This inconsistency will likely result in increased street parking demand directly in front of existing homes, including mine, which already have limited available parking.

I respectfully oppose the request to forgo designated parking for Units 5 and 6. I believe off-street parking should be provided for these units, just as it is for the other units in the development, in order to minimize the impact on surrounding residents and maintain fairness and consistency.

Thank you for your time and consideration of this concern.

Sincerely,

Adele Fournet

Adele Fournet  
[www.adelefournet.com](http://www.adelefournet.com)  
She/Her/Ella

## Wonsower, Donna

---

**From:** Andrea Fournet <andreaournet@gmail.com>  
**Sent:** Tuesday, April 28, 2026 7:58 PM  
**To:** Robert Sharp; Wonsower, Donna  
**Subject:** Re: Variance request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**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.

Thanks for your email, Rob. Appreciate your prompt follow up.

I need a written confirmation from you as well as the city stating that "ON" street parking will NOT be removed from W. Louise from the west boundary of my property (32 W Louise as well as 26 W Louise) by tomorrow at 3:00pm so I can confidently let my buyer know nothing is changing in front of 32 W Louise.

Many thanks for helping with creating clarity on this matter.

Andrea

Andrea Fournet, C-IAYT, ISA member  
CEO/Founder - AYC  
Arkansas Yoga and Therapy Center, Inc.

On Tue, Apr 28, 2026 at 7:47 PM Robert Sharp <[rob@rangeworks.co](mailto:rob@rangeworks.co)> wrote:

Andrea,

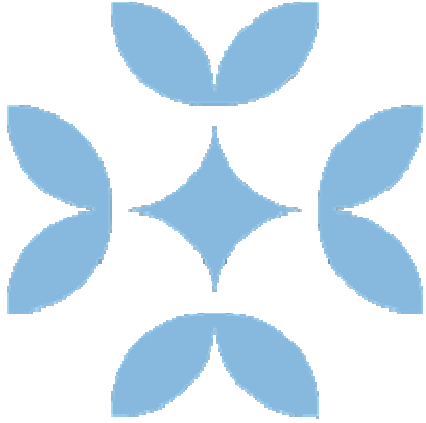
It's good to hear from you. I've had a conversation with Brian Reindl and with Sarah King and they have relayed your concerns to me.

It is our intention to keep Louise Street much as it is, which is the primary purpose of our variance request. We feel that the narrow, informal character of the street is appropriate. The Master Street Plan, as currently written, requires greater right of way and wider pavements, which we feel is detrimental to neighborhood character.

As you know, and I know from having lived to neighborhood, there is a tradition of opportunistic on-street parking. It is not our intention to disrupt that condition.

Also, to be clear, we are seeking a variance on the public right of way adjacent to our client's property only.

Please feel free to let me know if you have any further questions or comments. It is our goal to be a good neighbor and make our town better.



## Robert Sharp Principal Architect

512 N Mission Blvd  
Fayetteville, AR 72701  
+1.479.442.0229

[www.rangeworks.co](http://www.rangeworks.co)

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**From:** Andrea Fournet <[andrea4fournet@gmail.com](mailto:andrea4fournet@gmail.com)>  
**Sent:** Tuesday, April 28, 2026 5:28:53 PM  
**To:** [rob@rangeworks.co](mailto:rob@rangeworks.co) <[rob@rangeworks.co](mailto:rob@rangeworks.co)>  
**Subject:** Fwd: Variance request



----- Forwarded message -----

**From:** **Andrea Fournet** <[andrea4fournet@gmail.com](mailto:andrea4fournet@gmail.com)>  
**Date:** Tue, Apr 28, 2026 at 5:19 PM  
**Subject:** Variance request  
**To:** <[rob@rangeworks.com](mailto:rob@rangeworks.com)>, Jessica Masters <[jmasters@fayetteville-ar.gov](mailto:jmasters@fayetteville-ar.gov)>, Wonsower, Donna <[dwonsower@fayetteville-ar.gov](mailto:dwonsower@fayetteville-ar.gov)>

Hi Rob,

I hope this finds you well. I have been in touch with Sarah King and was hoping to have an answer to my concerns about "NO" on road parking for W. Louise by the end of today.

I am under contact on my house at 32 W Louise and I need to notify the buyer about this new variance request. It would be really helpful if you can send me a statement via email that confirms this variance request will have no effect on the "ON" street parking along the whole southern edge of my property from west to east along W Louise as well as in front of the property located at 26 W Louise.

Can you please send that confirmation in writing to me by the end of day, April 29, 2026? As it stands now the variance request states "NO on road parking" for W. Louise, clarity is needed.

I appreciate your assistance with this matter.

Best  
Andrea



Dear Planning Staff,

I am writing to express my opposition to the variance request associated with the proposed development at 632 N. Park, specifically the request to remove on-street parking along W. Louise Street.

I own the home at 26 W. Louise Street. My property does not have off-street parking and has always depended on available street parking for normal residential use. Eliminating on-street parking in this location would effectively leave my home without any practical parking options, which significantly impacts both its functionality and livability.

The requested variance places an undue burden on existing homeowners by removing a basic and necessary component of residential access. In my case, it would directly and negatively affect the value of my \$522,000+ property and diminish its utility compared to surrounding homes. This type of impact raises serious concerns about fairness, compatibility with the existing neighborhood, and the unintended creation of a hardship condition caused by new development.

I understand the goal of preserving trees and responding to site constraints; however, those goals should not come at the expense of existing residents. There are more balanced solutions available.

One such alternative would be to relocate the sidewalk to the south side of W. Louise Street. There is already a partial sidewalk on that side, but it is currently unusable due to a steep drop-off. Completing and correcting that sidewalk would improve pedestrian safety while preserving on-street parking. Importantly, there are no significant trees on the south side that would be impacted, making this a more practical and less disruptive approach.

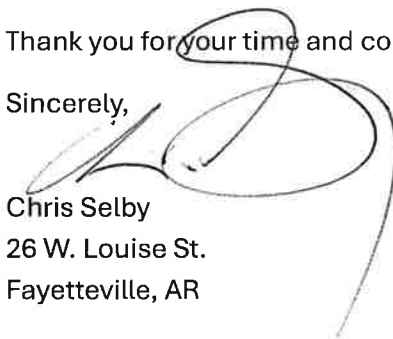
If the development proceeds with a design that removes on-street parking, then appropriate mitigation should be required. At a minimum, this should include providing or funding off-street parking solutions for affected properties, including mine, so that existing homes are not left without reasonable access.

Without such mitigation, I respectfully urge that this variance request be denied.

I would also appreciate the opportunity to meet on-site with the planner assigned to this project at my property (26 W. Louise Street) on Friday, May 1 at 3:00 PM to review these concerns in person.

Thank you for your time and consideration.

Sincerely,



Chris Selby  
26 W. Louise St.  
Fayetteville, AR

## Wonsower, Donna

---

**From:** Andrea Fournet <andreaournet@gmail.com>  
**Sent:** Tuesday, May 5, 2026 8:13 AM  
**To:** Brewer, H. Rice; Gulley, Fred; Madden, Mary; McGetrick, Mary; Cabe, Matthew; Castin, Nick; Werner, Nick; Brink, Andrew  
**Cc:** Wonsower, Donna; Mike Wiederkehr; Moore, Sarah  
**Subject:** Proposed variance for 632 Park Ave  
**Attachments:** W Louise looking west.jpeg; Corner of Forest and Louise looking North.jpeg; W Louise looking east.jpeg; 260413 - 632 Park - Site Plan.pdf

**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.

Dear Planning Commissioners,

I am writing to ask for your careful consideration regarding the proposed variance that would eliminate on-street parking along W. Louise Street in connection with the 632 N. Park development.

I have owned my home at 32 W. Louise for over 30 years. My property has no off-street parking, and access has always depended entirely on on-street parking, something that has existed along this street for more than 80 years. This long-standing condition is not unique to my home, but part of how this neighborhood has functioned for generations.

The current proposal seeks to remove on-street parking in front of the planned Units 5 and 6 (as shown on the site plan). At the same time, those units do not appear to include on-site parking, even though that portion of the property has historically accommodated parking for decades. In contrast, the other proposed units do include on-site parking.

This creates a concerning imbalance. Eliminating on-street parking while also not providing on-site parking for Units 5 and 6 will place additional strain on an already limited parking environment. It shifts the burden onto existing neighbors—both homeowners and tenants—who are already relying on the current street parking configuration.

I have attached photos showing the existing, active use of on-street parking along W. Louise. These images reflect typical conditions and demonstrate how essential this parking is to the people who live here.

I am not a planning expert, but it seems clear that removing on-street parking in front of proposed houses 5&6 without providing a reasonable alternative will increase congestion and create avoidable challenges for the surrounding neighborhood. At a minimum, Units 5 and 6 should include adequate on-site parking, including space for residents and guests, rather than relying on the elimination of existing shared parking resources.

I respectfully ask that you take into account the real, day-to-day impacts this decision will have on those who already live here. Thoughtful planning should support both new development and the continued livability of established homes.

Thank you for your time and consideration.

Sincerely,  
Andrea Fournet  
32 W Louise St  
Fayetteville, AR



W. LOUISE LOOKING WEST



CORNER OF FOREST AND LOUISE LOOKING NORTH



W. LOUISE LOOKING EAST



**TO:** Fayetteville Planning Commission

**THRU:** Jessie Masters, Planning Director

**FROM:** Citlali Samano, Planner

**MEETING DATE:** May 11, 2026

**SUBJECT:** **CUP-2026-0019: Conditional Use Permit (1431 S. SCHOOL AVE/RV & BRIAN LLC, 562):** Submitted by BRIAN KHEANG for property located at 1431 S. SCHOOL AVE. The property is zoned MSC, MAIN STREET CENTER and contains approximately 0.50 acres. The request is for the use of a drive-thru in MSC, MAIN STREET CENTER zoning.

**RECOMMENDATION:**

Staff recommends approval of **CUP-2026-0019** with conditions.

**RECOMMENDED MOTION:**

*"I move to approve **CUP-2026-0019**, determining:*

- *In favor of compatibility with adjacent properties, and*
- *In favor of all other conditions as recommended by staff."*

**BACKGROUND:**

The subject property is located in south Fayetteville and is on the northwest corner of S School Ave and W 15<sup>th</sup> St. The subject property consists of 0.50-acre parcel that contains an existing commercial building built in 1974 that was previously used as a restaurant with an outdoor space. The property is zoned MSC, Main Street Center and is not within an overlay district but is within the 71B Corridor Plan. Surrounding land uses and zoning are provided in *Table 1*.

**Table 1**  
**Surrounding Land Use and Zoning**

<b>Direction</b>	<b>Land Use</b>	<b>Zoning</b>
North	Commercial	MSC, Main Street Center
South	Commercial	MSC, Main Street Center
East	Commercial	MSC, Main Street Center
West	Residential	RMF-24, Residential Multi-Family, Twenty-Four (24) Units per Acre; RI-U, Residential Intermediate - Urban

*City Plan 2040 Future Land Use Designation:* City Neighborhood Area, 71B Corridor Plan, and the Walker Park Neighborhood Plan

*Proposal:* The applicant requests a conditional use permit to operate a drive-through on the subject property, which would be classified as Use Unit 18, Gasoline Service Stations and drive-in/drive-through restaurants. The applicant has described the business as follows:

- *Size of business: Approximately 3,000 sq ft*
- *Parking: 27 spaces in parking lot*

- *Hours of operation: Sunday through Saturday, 4:30 AM to 2:00 PM*
- *Number of employees: 4*
- *Anticipated number of customers: 100 to 150, daily*
- *Outdoor Lighting: Existing outdoor lighting*
- *Trash: Existing residential trash service*

*Public Comment:* Staff has not received any public comment regarding the proposed request.

**RECOMMENDATION:** Staff recommends approval of **CUP-2026-0019** with the following conditions:

**Conditions of Approval:**

- 1. Planning Commission determination of compatibility.** *Staff finds the proposed use is compatible with adjacent properties based on the findings in this report.*
- 2. This conditional use permit is limited to the use for Cronut Donut as described in the applicant's request letter. The following specifications apply:**

Size of the business:	Approximately 3,000 sq ft
Hours of operation:	Sunday through Saturday, 4:30 AM to 2:00 PM
Parking:	27 spaces in parking lot
Number of employees:	4
- 3. Prior to building permit issuance, the site plan must be revised to close the three non-conforming curb cuts nearest the intersection of 15th St. and along School Ave., replacing them with standard curb, gutter, and sidewalk.**
- 4. Street trees shall be planted along the property frontage on 15<sup>th</sup> St. per UDC 177.05 Street Tree Planting Standards.**
- 5. Entry and exist signs for drive-through lane and employee parking shall be clearly posted, with striping and additional signage provided as necessary to address safe maneuvering.**
- 6. Proposed parking area for 27 vehicles shall meet the requirements for driveway standards as outlined in 172.04;**
- 7. A commercial business license shall be obtained for the proposed business at this location prior to occupancy of the property;**
- 8. Approval of conditional use permit does not constitute approval for any needed building permits or development entitlement;**
- 9. Any required permits must be obtained within 1 year of conditional use permit approval;**
- 10. Trash shall remain screened at the rear of the property and out of view from the right-of-way outside of typical trash collection times.**
- 11. Any future expansion or change in the conditional use shall require Planning Commission approval;**

12. Signs shall be limited to those permitted by Unified Development Code §174. Any proposed signage shall be reviewed for compliance with the underlying zoning district and shall be permitted by a separate sign permit prior to installation; and

13. Outdoor lighting shall comply with Unified Development Code §176.

<b>PLANNING COMMISSION ACTION:</b>	<b>Required</b>	<b><u>YES</u></b>	
Date: <u>May 11, 2026</u>	<input type="checkbox"/> Tabled	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Motion:			
Second:			
Vote:			

**§163.02. AUTHORITY; CONDITIONS; PROCEDURES.**

**B. Authority; Conditions.** The Planning Commission shall:

1. Hear and decide only such special exemptions as it is specifically authorized to pass on by the terms of this chapter.
2. Decide such questions as are involved in determining whether a conditional use should be granted; and,
3. Grant a conditional use with such conditions and safeguards as are appropriate under this chapter; or
4. Deny a conditional use when not in harmony with the purpose and intent of this chapter.

**C.** A conditional use shall not be granted by the Planning Commission unless and until:

1. A written application for a conditional use is submitted indicating the section of this chapter under which the conditional use is sought and stating the grounds on which it is requested.

**Finding:** **The applicant has submitted a written application requesting conditional use approval of a drive-through in MSC zoning.**

2. The applicant shall pay a filing fee as required under Chapter 159 to cover the cost of expenses incurred in connection with processing such application.

**Finding:** **The applicant has paid the required filing fee.**

3. The Planning Commission shall make the following written findings before

a conditional use shall be issued:

(a.) That it is empowered under the section of this chapter described in the application to grant the conditional use; and

**Finding: The Planning Commission is empowered under Unified Development Code §161.27 to grant the requested conditional use permit.**

(b.) That the granting of the conditional use will not adversely affect the public interest.

**Finding: Staff finds that granting the proposed conditional use is not likely to adversely affect public interest, as the business is adjacent to similar eating places that also operate drive-throughs. Establishments that fall under Use Unit 18 are designed to fulfill recurrent needs of nearby residents but are typically incompatible with more urban-oriented districts; however, the proposed use of the site does act to densify the area and provide a needed service. Given the proposed use and layout of this site, this request may be compatible with the City's land use plans and goals.**

(c.) The Planning Commission shall certify:

(1.) Compliance with the specific rules governing individual conditional uses; and

**Finding: Chapter 172.04 covers parking lot design standards specific to drive-through facilities. Drive-through restaurants are required to meet a minimum of four (4) stacking spaces as measured from the drive through window. The site plan does not show the number of stacking spaces; however a general review shows the minimum requirement to be met. Non-residential uses such as restaurants are allowed a maximum of 1 parking space per 100 sq ft GFA which equates to 30 parking spaces allowed. The applicant has indicated 27 parking spaces.**

(2.) That satisfactory provisions and arrangements have been made concerning the following, where applicable:

(a.) Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe;

**Finding: The property's site plan shows five existing curb cuts: two on S. School Ave and three on W. 15th St. Although this project doesn't require a full development review, staff recommends closing the both curb cuts along S School Ave and the curb cuts nearest the intersection on W 15<sup>th</sup> St. as a condition of approval. These access points are currently non-conforming, as they fail to meet the 250-foot minimum distance required for regional links under UDC 166.08(F)(1). Closing these curb cuts is a critical step for both safety and traffic efficiency. By consolidating access points, we reduce the number of "conflict points" which directly lowers the risk of accidents.**

**Additionally, the City is in the process of making improvements along this area and would assist in safety measures and congestion concerns.**

- (b.) Off-street parking and loading areas where required, with particular attention to ingress and egress, economic, noise, glare, or odor effects of the special exception on adjoining properties and properties generally in the district;

**Finding: The applicant has stated the utilization of the existing paved driveway containing 27 parking spaces. There is no on-street parking available along S School Ave given the Master Street Plan for a Regional High-Activity Link Street. The City’s conceptual plans for work along this corner includes a designated right-turn lane along S School Ave and a road widening along W 15<sup>th</sup> St. for a designated left-turn lane. This project is scheduled to begin construction in late 2027. Any additional parking would need to follow UDC 172.05 standards.**

- (c.) Refuse and service areas, with particular reference to ingress and egress, and off-street parking and loading,

**Finding: As proposed, the applicant will utilize two existing dumpsters in keeping with the previous tenants’ needs. Staff recommends that trash remain screened at the rear of the property and out of view from the right-of-way.**

- (d.) Utilities, with reference to locations, availability, and compatibility;

**Finding: The property has access to City water and sewer. A 8-inch water main and a 12-inch sewer main are present along W 15<sup>th</sup> St.**

- (e.) Screening and buffering with reference to type, dimensions, and character;

**Finding: The subject property is surrounded by commercial structures to the north, east, and south, with minimal landscaping. Staff recommends street trees be installed along the property’s 15<sup>th</sup> St. frontage.**

- (f.) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;

**Finding: Any proposed signage will be subject to UDC §174 and all the regulations therein.**

- (g.) Required yards and other open space; and

**Finding: The applicant does not propose any structural expansions to the existing building. Any future additions to the structure, or alterations to open spaces,**

would be subject to further review and may require an amendment to the conditional use permit.

- (h.) General compatibility with adjacent properties and other property in the district.

**Finding:** Staff finds the proposed use as a drive-through to be compatible with adjacent properties and other properties in the MSC zoning district. The proposed hours of operation, its proximity to commercial, residential, and public properties, and the provision for off-street parking should limit any adverse impacts on residences in the surrounding area.

- (i.) General compatibility with the goals and intent of the city's adopted land-use, transportation, and other strategic plans.

**Finding:** Staff finds the proposed use compatible with the City's adopted plans. According to the City Plan 2040, the Future Land Use Map designates this property as a City Neighborhood Area, a part of the 71B Corridor Plan, and included in the Walker Park Neighborhood Plan. These designations support commercial uses along major corridors and encourage urban, context-based zoning - specifically identifying the 15th Street as ideal for MSC zoning. A key goal of these plans is to transform the 71B Corridor into a walkable environment. Limiting curb cuts along S. School Avenue is vital to achieving this, as reducing access points improves pedestrian safety and transit flow. Additionally, the Walker Park Neighborhood Master Plan encourages internalized parking with buildings that face arterial roads. While this proposal would redevelop an existing building, a drive-through coffee shop is located directly across the street and another is within 300 ft southeast of this location, an additional drive-through use would not necessarily serve public benefit in an area meant to be redeveloped for more pedestrian-focused services. By consolidating access and bringing the property into compliance with modern street standards, the proposal directly supports the City Plan 2040, 71B Corridor Plan, and Walker Park Neighborhood Plan objectives of creating safe, high-quality, and accessible neighborhood centers.

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**BUDGET/STAFF IMPACT:**

None

**ATTACHMENTS:**

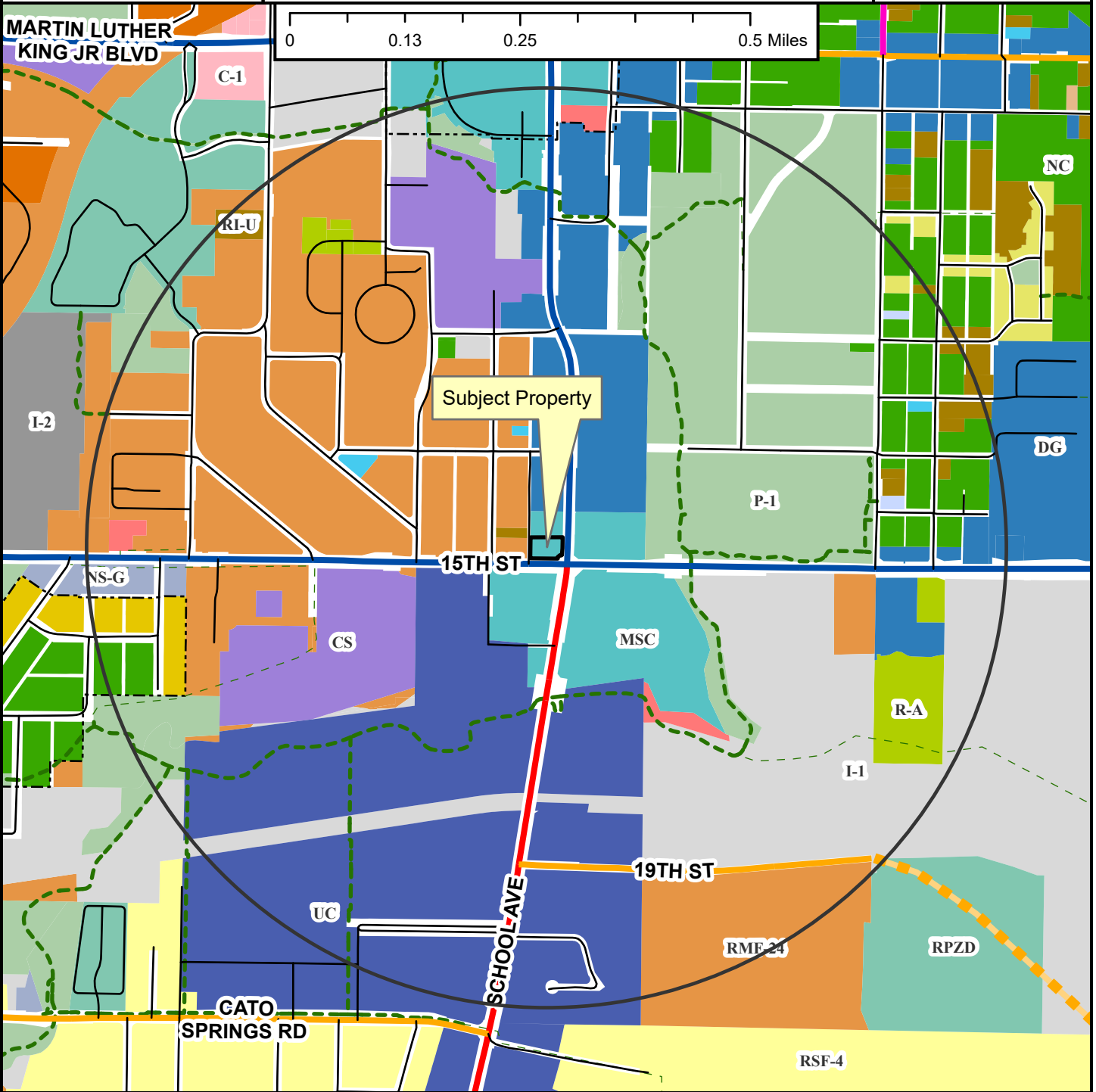
- Project Maps
  - One Mile Map
  - Close-Up Map
  - Current Land Use Map
- Unified Development Code
  - §161.27 District MSC, Main Street Center
- Staff Exhibits
  - 71B Corridor Plan Excerpts
  - Walker Park Master Plan Excerpts

- S School Avenue & W 15<sup>th</sup> Street Improvements
- Applicant Exhibits
  - Request Letter
  - Site Plan
  - Floor Plan
  - Building Elevations

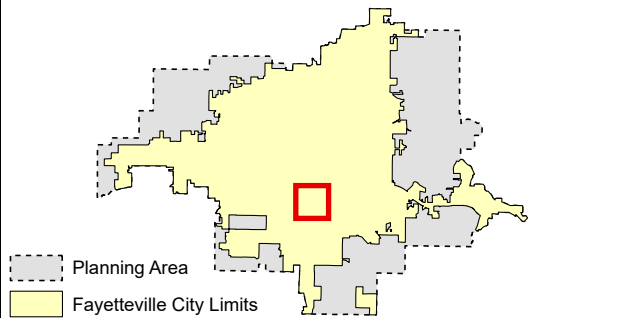
CUP-2026-0019

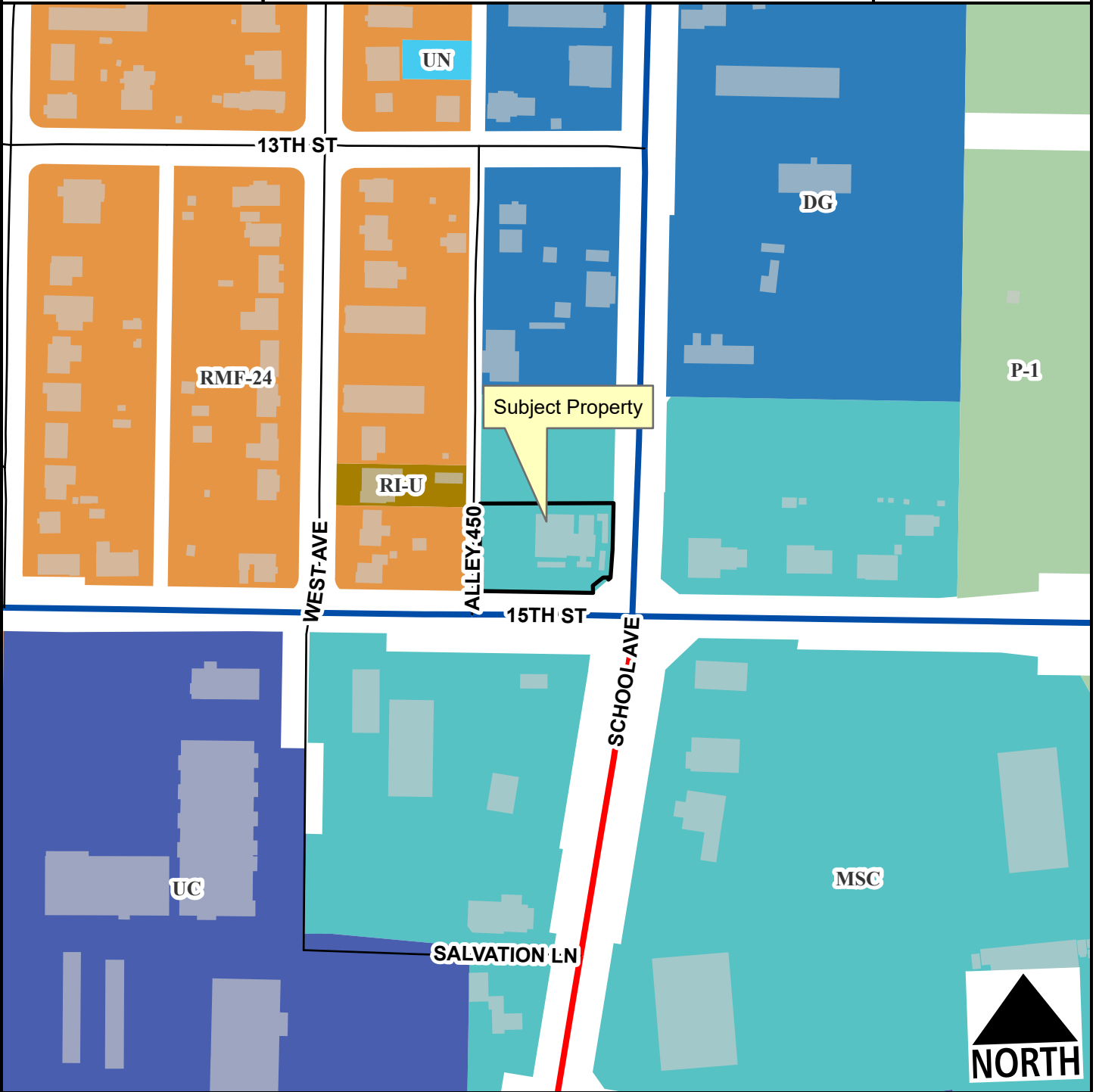
# 1431 S. SCHOOL AVE

One Mile View

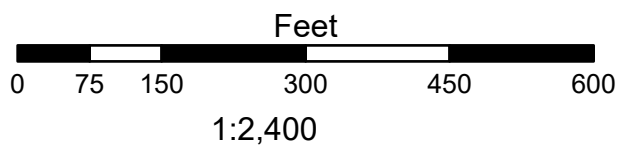


- Regional Link
- Neighborhood Link
- Regional Link - High Activity
- Urban Center
- Unclassified
- Alley
- Residential Link
- Planned Neighborhood Link
- - - Shared-Use Paved Trail
- - - Trail (Proposed)
- Design Overlay District
- Fayetteville City Limits
- Planning Area



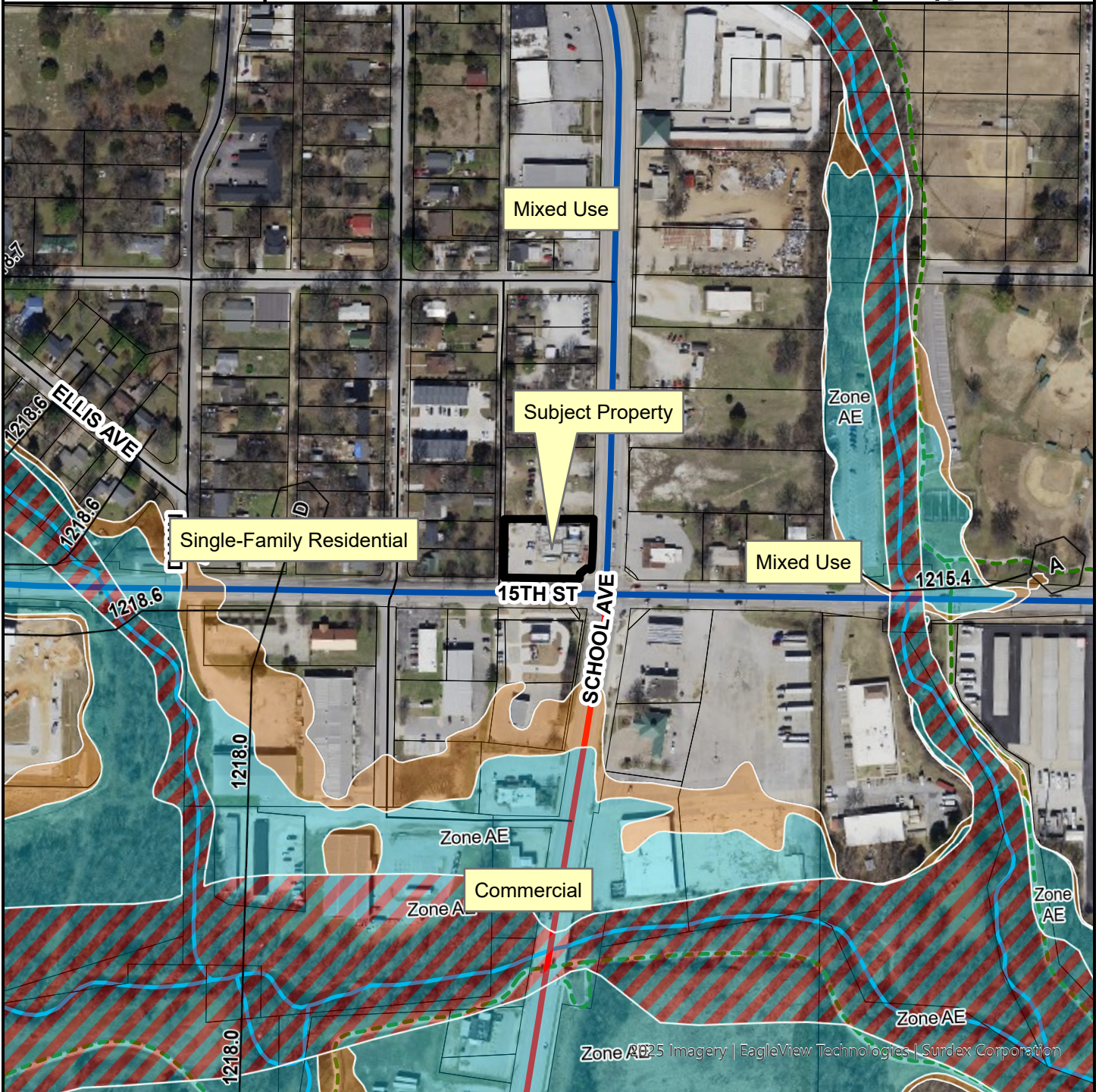


- Regional Link
- Regional Link - High Activity
- Unclassified
- Alley
- Residential Link
- Planning Area
- Fayetteville City Limits

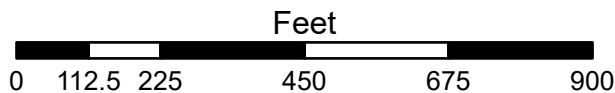




Current Land Use



- Regional Link
- Regional Link - High Activity
- Unclassified
- Alley
- Residential Link
- Planning Area
- Fayetteville City Limits



1:3,600

**FEMA Flood Hazard Data**

- 100-Year Floodplain
- Floodway

**161.27 - Main Street Center**

(A) *Purpose.* A greater range of uses is expected and encouraged in the Main Street/Center. The Center is more spatially compact and is more likely to have some attached buildings than Downtown General or Neighborhood Conservation. Multi-story buildings in the Center are well-suited to accommodate a mix of uses, such as apartments or offices above shops. Lofts, live/work units, and buildings designed for changing uses over time are appropriate for the Main Street/Center. The Center is within walking distance of the surrounding, primarily residential areas. For the purposes of Chapter 96: Noise Control, the Main Street/Center District is a commercial zone.

(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- and four-family dwellings
Unit 13	Eating places
Unit 14	Hotel, motel, and amusement facilities
Unit 16	Shopping goods
Unit 17	Transportation trades and services
Unit 19	Commercial recreation, small sites
Unit 24	Home occupations
Unit 25	Offices, studios, and related services
Unit 26	Multi-family dwellings
Unit 34	Liquor stores
Unit 40	Sidewalk Cafes
Unit 41	Accessory dwellings
Unit 44	Cluster Housing Development
Unit 45	Small scale production
Unit 46	Short-term rentals

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 18	Gasoline service stations and drive-in/drive-through restaurants
Unit 28	Center for collecting recyclable materials
Unit 29	Dance halls
Unit 35	Outdoor music establishments
Unit 36	Wireless communication facilities
Unit 42	Clean technologies
Unit 48	Private dormitories

(C) *Density.* None.

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Dwelling (all unit types)	18 feet
---------------------------	---------

(2) *Lot Area Minimum.* None.

(E) *Setback Requirements.*

Front	A build-to zone that is located between the front property line and a line 25 feet from the front property line.
Side	None
Rear	5 feet
Rear, from center line of an alley	12 feet

(F) *Minimum Buildable Street Frontage.* 75% of lot width.

(G) *Building Height Regulations.*

Building Height Maximum	5 stories/7 stories*
-------------------------	----------------------

\* A building or a portion of a building that is located between 0 and 15 feet from the front property line or any master street plan right-of-way line shall have a maximum height of five (5) stories. A building or a portion of a building that is located greater than 15 feet from the master street plan right-of-way line shall have a maximum height of seven (7) stories.

(Ord. No. [6945](#), §5(Exh. D), 12-16-25)

# 71B Corridor Plan Excerpts



## WALKER PARK SUBDISTRICT (Town Branch Creek to 11th Street)

- Continue implementation of the Walker Park Neighborhood Plan.
- Develop an urban intensity node at 15th and South School. On the southeast corner, provide strong corner definition and compliance with height, density, and placement regulation for nodes. Southwest corner should provide an urban place with landscape and street furniture. Any intensification or redevelopment of this site for another use should similarly provide a street-defining building. On northeast corner with surrounding development, provide a corner place with landscape and street furniture, incorporating improved circulation and off-street parking for the iconic City Liquor store. Similar treatment should be applied to the northwest corner incorporating Nomad's restaurant and music venue.
- Move toward transition of existing salvage and industrial uses to mixed use and moderate- to high-density residential development. Within proposed residential areas, include high-density, single-family forms, including small lot detached, single-family attached, and townhome configurations. In large projects, consider incorporating a requirement for a minimum percentage of a site to be devoted to these family-friendly urban housing forms.
- Maintain and enhance locally significant retail and food and drink-oriented businesses that help define the identity of the subdistrict.



## Urban Intersections

The plan increases the number of clear street intersections to 1) reduce the need for mid-block driveway cuts and 2) improve people's orientation and sense of where they are relative to the destinations they are trying to reach. These intersections also provide opportunities for placemaking and higher-density development. Potential nodes include Cato Springs, 15th Street, MLK Drive, and South Street along the South School/Archibald Yell segment; and Memorial Drive, Sycamore, Poplar, Green Acres, Colt Drive, Township, Sunbridge, Golden Eagle, Drake, Rolling Hills, Harold, Longview, relocated Masonic, and Millsap. These are further categorized as signalized and non-signalized intersections on the Framework maps.

## Transit (BRT) Stations

Depending on feasibility, a regional Bus Rapid Transit line would operate along the 71B corridor from Fayetteville to Bentonville, serving stations in Fayetteville, Springdale, Rogers, and Bentonville. College Avenue also has local bus service through Ozark Regional Transit, which has recently been enhanced with new vehicles and more frequent service. A concept for BRT stations on the corridor anticipates a turnout bus and right-turn only lane at station stops, combined with a signal control that allows the bus operator to hold a green light. This technique, combined with far side stops, allows the bus to bypass a queued traffic at these intersections. BRT stations may also include such features as high amenity shelters, protected bike storage, Internet hot spots, digital arrival information, and high-level loading. Possible College Avenue stops include the VA (North Street).



BRT station planned for construction on Omaha's central Dodge Street corridor. This system is scheduled to begin service in 2020.

Township, Millsap, Rolling Hills, and Zion Road. These stops should also include trail connections for people using active modes to connect to the rapid line.



# Walker Park Neighborhood Plan Excerpts

## Diversity of Uses

### Creating a Destination Shopping Experience

Southgate Shopping Center and surrounding business are located at the crossroads of two major four-lane highways, Highway 71B/South School Avenue and Highway 16/15th Street. These two major roads provide access to south Fayetteville residents, the City, and the Region. This location makes the intersection a prime candidate for locating the most intense and dense developments in the neighborhood.

This commercial shopping center has served south Fayetteville's residential population for over 30 years. The auto-oriented shopping center developed without any of today's requirements for commercial design standards, landscaping, sidewalks, and site design, which may contribute to underutilization of this retail area. Existing uses at the intersection include a grocery store, bank, gas station, used car lot, liquor store, pawn shop, and restaurant. Much of the surface parking is underutilized and can be reclaimed for additional retail uses.



Southgate Shopping Center Today



Southgate Shopping Center Envisioned

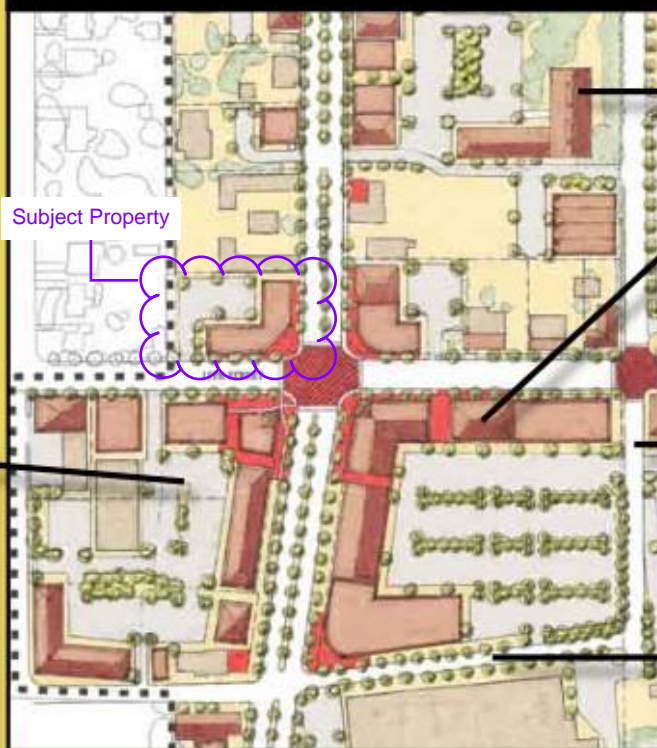
### Completing the South School Avenue Corridor

The development pattern along South School Avenue is inconsistent, resulting in an incoherent pattern of development types. The lack of identity for South School Avenue and the shopping center can be overcome through the development of appropriate infill along this corridor, transforming the Avenue into a destination that contributes to the vibrancy of the Downtown and fabric of the Walker Park Neighborhood.

### Internalized Parking Structures

The vast swaths of paved parking lots at this intersection discourage pedestrians from accessing the establishments at the intersection. One way to utilize the existing land resources is to building parking structures rather than parking lots and line these structures with additional developments. This screens the parking structure and contributes to a pedestrian-friendly environment.

### Intersection of South School Avenue and 15th Street



Subject Property

### Infill

Adding structures that front onto the arterial streets will add value to the currently underutilized parking lots. Bringing these buildings up to the sidewalk will also result in a human-scale, pedestrian-friendly intersection. Infill in this area benefits from the existing infrastructure, requiring fewer resources to develop.

### Square-back Streets

Access to this area from Walker Park Neighborhood is somewhat limited due to the current street layout and lack of connectivity through Walker Park and from South School Avenue. Improving connectivity and access to the neighborhood primarily through a square-back street concept will provide some of the physical connections that currently do not exist. A square-back creates a square vehicular flow pattern around an intersection, providing additional access to structures located at the intersection and creating multiple turning movements in advance of the primary intersection.

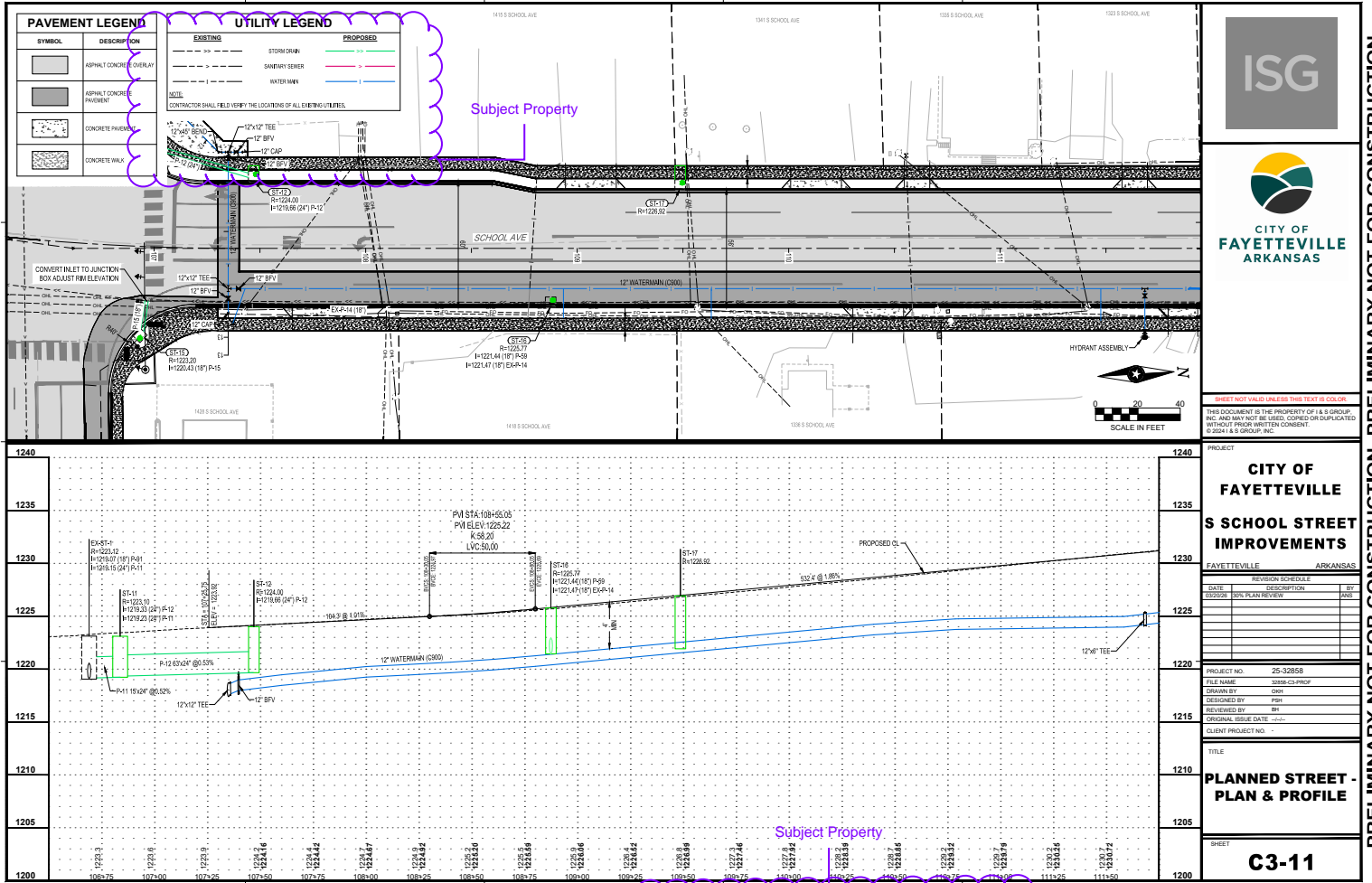
Planning Commission

May 11, 2026

CUP-2026-0019 (RY & BRIAN LLC)

Page 14 of 21

# S School Ave and W 15th St Improvements



**ISG**

**CITY OF FAYETTEVILLE ARKANSAS**

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**CITY OF FAYETTEVILLE**

**S SCHOOL STREET IMPROVEMENTS**

FAYETTEVILLE ARKANSAS

DATE	REVISION	SCHEDULE	BY
03/20/20	50% PLAN REVIEW		AMT

PROJECT NO: 25-32858

FILE NAME: 2505-C3-11.PRW

DRAWN BY: CSH

DESIGNED BY: PSH

CHECKED BY: BH

ORIGINAL ISSUE DATE: ---

CLIENT PROJECT NO: ---

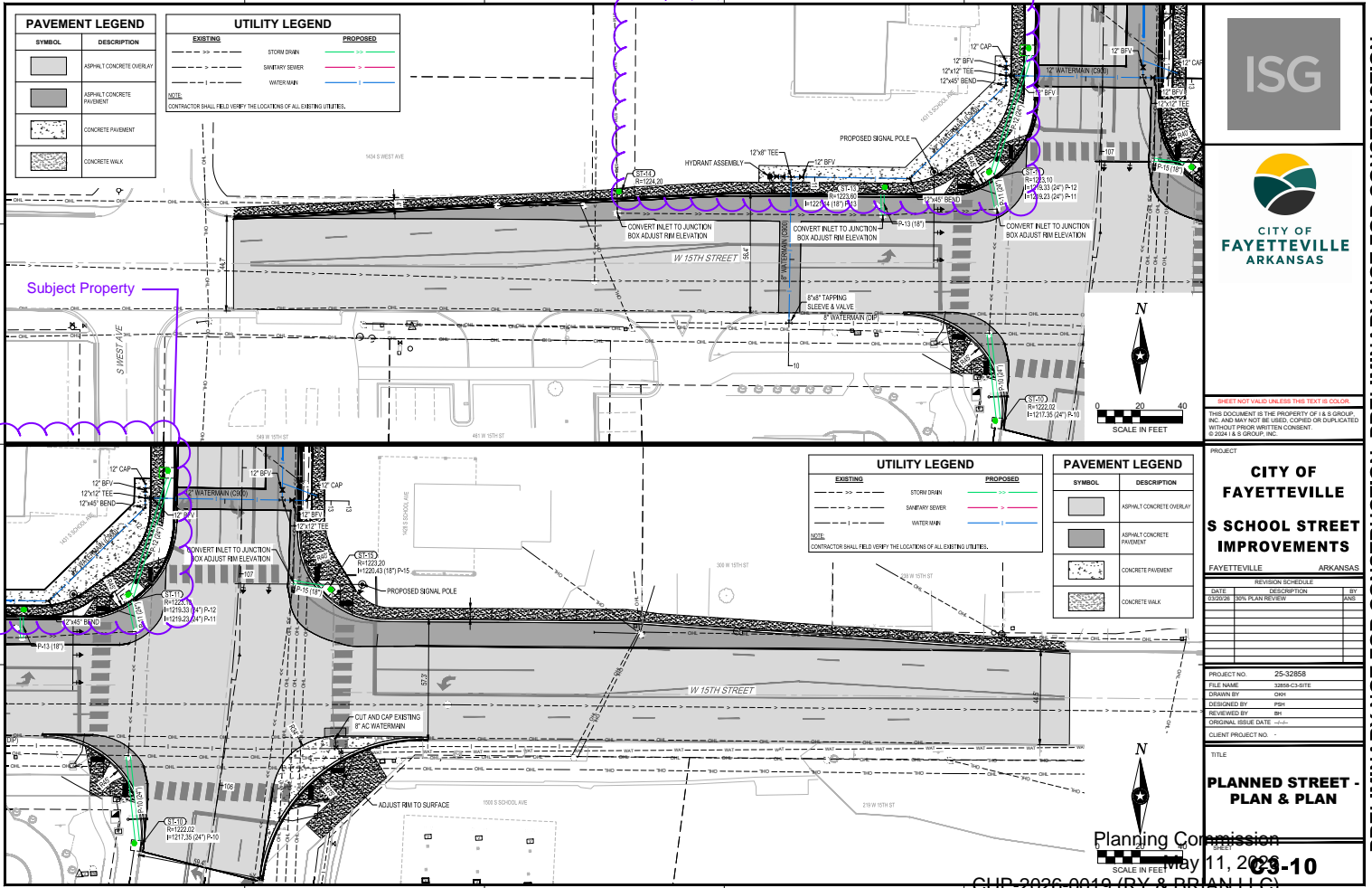
**TITLE**

**PLANNED STREET - PLAN & PROFILE**

**SHEET**

**C3-11**

PRELIMINARY NOT FOR CONSTRUCTION



**ISG**

**CITY OF FAYETTEVILLE ARKANSAS**

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**CITY OF FAYETTEVILLE**

**S SCHOOL STREET IMPROVEMENTS**

FAYETTEVILLE ARKANSAS

DATE	REVISION	SCHEDULE	BY
03/20/20	50% PLAN REVIEW		AMT

PROJECT NO: 25-32858

FILE NAME: 2505-C3-11.PRW

DRAWN BY: CSH

DESIGNED BY: PSH

CHECKED BY: BH

ORIGINAL ISSUE DATE: ---

CLIENT PROJECT NO: ---

**TITLE**

**PLANNED STREET - PLAN & PLAN**

**SHEET**

**C3-10**

PRELIMINARY NOT FOR CONSTRUCTION

**Cronuts Donuts**

1431 S SCHOOL AVE

FAYETTEVILLE AR 72701

hemvannak744@gmail.com

03/17/2026

**Planning Department**

City of Fayetteville, Arkansas

113 w Mountain st Fayetteville AR 72701

**Request Letter**

I am writing to formally request a permit for the drive- thru at **1431 S school Ave Fayetteville AR 72701** and name **Cronuts Donuts** , aims to improve customer convenience and traffic flow with this addition . Our business is open 7 days a week from 4:30am to 2:00pm . We may have 4 employees and estimate around 100 to 150 customers in a day . We have outside lighting but not a lot of noise because we are the donut shop. we have some noises from the food equipment inside of the building that will likely not be heard from outside. We don't have any screening , fence ,patio or outdoor music . The shop is approximately 3000sf and around 27 parking spaces ,we have our own trash bin . We have ensured that our design meets city zoning code and traffic safety guidelines .

Please advise on the next steps, additional requirements or meetings we should attend. We look forward to working with you to ensure a smooth approval process .

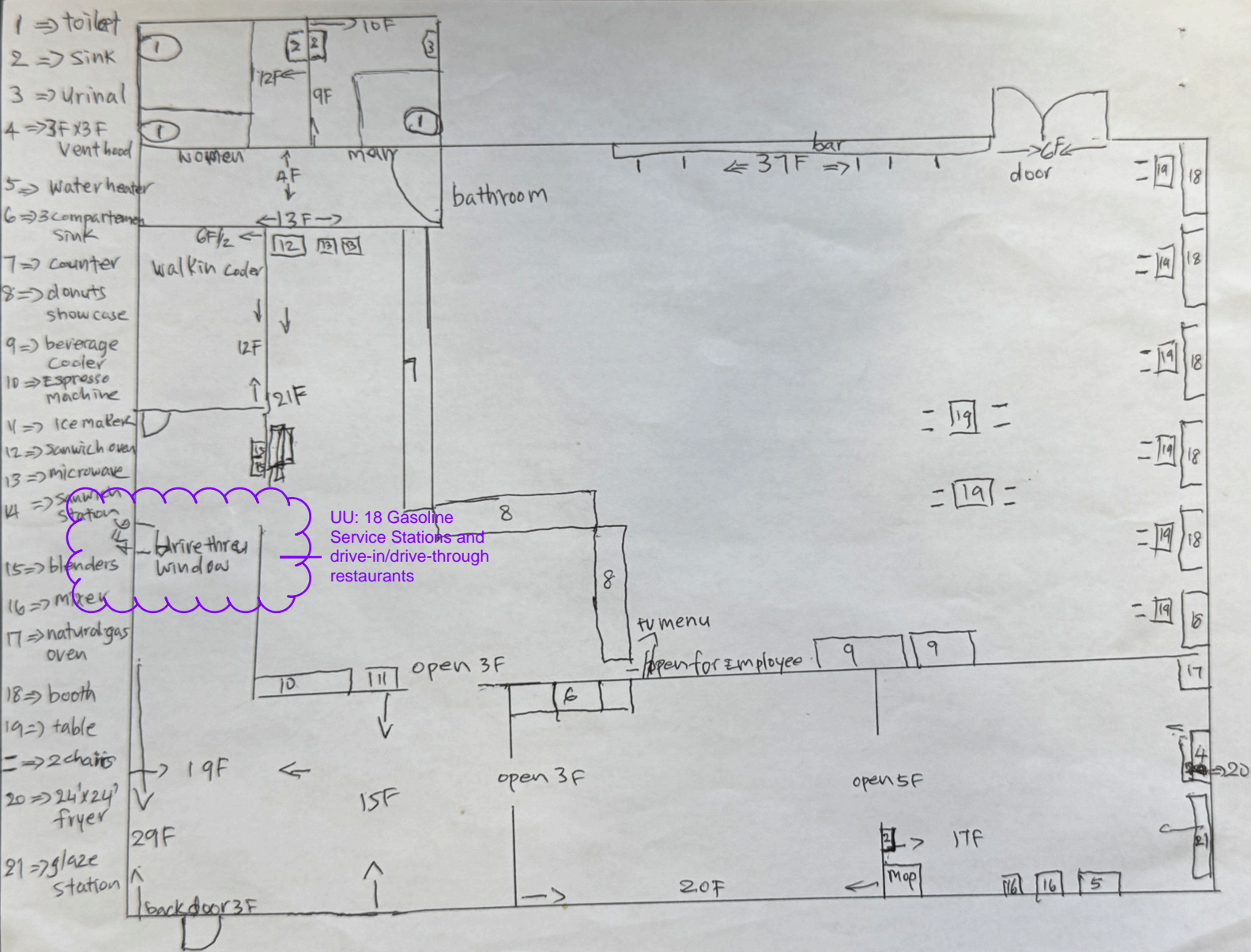
Thank you for you time and consideration

**Brian kheang**



03/17/2026





Northeast



East







**TO:** Fayetteville Planning Commission

**THRU:** Jessie Masters, Planning Director

**FROM:** Wesley Frank, Planner

**MEETING DATE:** May 11, 2026

**SUBJECT:** **CUP-2026-0020 Conditional Use (WEST OF 515 W. HOLLY ST./CCAR PROPERTIES, 406):** Submitted by MARTIN BUILDING GROUP for property located WEST OF 515 W. HOLLY ST. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.26 acres. The request is to build a duplex in a single-family residential zoning district.

**RECOMMENDATION:**

Staff recommends approval of **CUP-2026-0020** with conditions as outlined by staff.

**RECOMMENDED MOTION:**

*"I move to approve **CUP-2026-0020** with conditions, determining:*

- *In favor of compatibility with adjacent properties;*
- *In denial of a variance to UDC §166.23(C)(4)(a), Pedestrian Circulation; and*
- *In favor of all other conditions as recommended by staff.*

**BACKGROUND:**

The subject property is in central Fayetteville at the southeast corner of N. Gregg Avenue and W. Holly St. approximately 550 feet north of the intersection of W. North St. and N. Gregg Ave. The 0.26-acre subject property is zoned RSF-4, Residential Single-Family, 4 Units per Acre and is undeveloped. Surrounding land use and zoning is depicted in *Table 1*.

**Table 1**  
**Surrounding Land Use and 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
West	Central Baptist Church	RMF-40, Residential Multi-Family, 40 Units per Acre
East	Single-family Residential	RSF-4, Residential Single Family, 4 Units per Acre

**FUTURE LAND USE DESIGNATION: Residential Neighborhood**

*Request:* The applicant requests approval of a conditional use permit for the development of a two-family dwelling on the subject property. Two-family dwellings (Use Unit 9) are conditional use in the underlying RSF-4 zoning district. A site plan, building floor plans, and elevations have been provided, though the project would be fully reviewed for compliance with the City’s development standards at the time of the permit submittal. The applicant is seeking one variance to the Unified Development Code.

## DISCUSSION:

Variance: UDC §166.23(C)(4)(a), Pedestrian Circulation. Ground floor dwelling units adjacent to a public street shall have a primary pedestrian entry that is visible from the street. This entry shall connect unobstructed to the public sidewalk where sidewalk exists in a manner to allow occupants to access from the interior of the structure to the city sidewalk. The connection shall match the sidewalk in material type and shall be at least 3 feet in width unless otherwise approved by the Zoning and Development Administrator in writing. The entry may be gated and shared but must occur at a spacing of no fewer than one (1) entrance for every two (2) street level dwellings. The pedestrian connection to the street may run from the door along the façade of the building parallel to the street for a maximum of 12 feet from the door before connecting directly to the public sidewalk. The applicant is requesting to provide an alternative pedestrian connection design for the duplex by approaching the N. Gregg Ave. sidewalk to the south when the code requires a more direct approach.

*Staff Recommendation: Staff does not support the request, as no site-specific hardships exist that would prevent the most direct pedestrian connection to N. Gregg Ave. This requirement exists to ensure safe, pedestrian-friendly access directly to the dwelling's entryways. Both unit entryways face N. Gregg Ave., requiring a direct connection to the sidewalk along that frontage. The applicant's proposed alternative routes the connection south to west and north (N. Holly St.) rather than directly west, and neither proposed connection aligns with its respective entryway as required.*

*The applicant cites potential tree removal and anticipated impacts from the City's Safe Streets and Roads for All improvements to N. Gregg Ave as justification. However, a back-of-curb sidewalk currently exists along the property's N. Gregg Ave. frontage. While staff recommends a fee-in-lieu of sidewalk construction in acknowledgment of the forthcoming City-led improvements, this does not preclude making the required connection with this proposal. Furthermore, this RSF-4 zoned property requires only 25% minimum tree preservation, and development may proceed provided the requirements of UDC §167 are met. The site's topography is also not a barrier, as the pedestrian connection is not required to be ADA compliant.*

*Public Comment:* Staff has not received any public comment concerning this request.

**RECOMMENDATION:** Staff recommends approval of **CUP-2026-0020**, with the following conditions:

### **Conditions of Approval:**

1. **Planning Commission determination of compatibility for the two-family structure for West of 515 W Holly St.** *Staff finds the proposed two-family structure use is compatible for the reasons outlined in this report;*
2. **Planning Commission determination of a variance to UDC §166.23(C)(4)(a), which requires that ground floor dwelling units must connect to the public sidewalk, and may run parallel to the building for a maximum of 12 feet from the door before connecting directly to the sidewalk.** Staff recommends denial of the requested variance for the reasons outlined above. However, should the Commission choose to approve, staff recommends the added condition:
  - a. The applicant must provide the pedestrian connections to the public sidewalks to the proposed entrways as shown on the attached site plan.

3. Any proposed two-family structure shall be fully compliant with 166.23, Urban Residential Design Standards;
4. The proposed structure shall limit the visual impact of parking areas by locating parking behind the principle structure or as internal to the site as reasonably possible;
5. Any future expansion or change in the use shall require Planning Commission approval;
6. Per UDC §166.20, Expiration of Approved Plans and Permits, conditional use permit approval is valid for one year; and
7. Approval of this conditional use permit does not constitute approval of associated building plans or permits. The conditional use permit grants the applicant the right to submit a development proposal. The applicant shall coordinate with the City's Building Safety and Engineering Divisions to ensure that all proposed building and site renovations, including improvements to existing or proposed driveways, meet applicable permitting requirements.

<b>PLANNING COMMISSION ACTION:</b> Required <u>YES</u>
Date: <u>May 11, 2026</u> <input type="checkbox"/> Tabled <input type="checkbox"/> Approved <input type="checkbox"/> Denied
<b>Motion:</b>
<b>Second:</b>
<b>Vote:</b>

**FINDINGS OF THE STAFF**

**Section 163.02.      AUTHORITY; CONDITIONS; PROCEDURES.**

**B. Authority; Conditions.** The Planning Commission shall:

1. Hear and decide only such special exemptions as it is specifically authorized to pass on by the terms of this chapter.
2. Decide such questions as are involved in determining whether a conditional use should be granted; and,
3. Grant a conditional use with such conditions and safeguards as are appropriate under this chapter; or
4. Deny a conditional use when not in harmony with the purpose and intent of this chapter.

C. A conditional use shall not be granted by the Planning Commission unless and until:

1. A written application for a conditional use is submitted indicating the section of this chapter under which the conditional use is sought and stating the grounds on which it is requested.

**Finding: The applicant has submitted a written application requesting a conditional use permit for two-family dwellings. Two-family dwellings are conditionally allowed in the RSF-4 zoning district.**

2. The applicant shall pay a filing fee as required under Chapter 159 to cover the cost of expenses incurred in connection with processing such application.

**Finding: The applicant has paid the required filing fee.**

3. The Planning Commission shall make the following written findings before a conditional use shall be issued:

(a.) That it is empowered under the section of this chapter described in the application to grant the conditional use; and

**Finding: The Planning Commission is empowered under Chapter §161.07 to grant the requested conditional use permit.**

(b.) That the granting of the conditional use will not adversely affect the public interest.

**Finding: Staff finds the requested conditional use is not likely to adversely affect the public interest should the variance be denied. Two-family dwellings are subject to compliance with heightened access and design standards when compared to single-family dwellings. The applicant is requesting a variance to a standard by providing an alternative pedestrian connection to the duplex. The standard in UDC §166.23(C)(4)(a), is used to create a more pedestrian-friendly neighborhood environment, and this proposal does not allow for this. By requiring the applicant to adhere to all of the standards outlined in UDC §166.23, the proposal would be more in line with the public's interests.**

**Driveways serving two-family dwellings along Residential Link Streets like W. Holly St. are required to be located at least 50 feet away from adjacent curb cuts and intersections. The property is a corner lot to N. Gregg Ave and W. Holly St, and the submitted site plan proposes to only access the lower MSP classification street - W. Holly St (Residential Link). This development would also be subject to compliance with the City's urban residential design standards as outlined in UDC §166.23, and parking design standards as outlined in UDC §172.11. The proposal is similar in size to neighboring developments as well and only has one ingress/egress, lessening traffic concerns.**

(c.) The Planning Commission shall certify:

(1.) Compliance with the specific rules governing individual conditional uses; and

**Finding: Two-family structures are subject to UDC §166.23 - Urban Residential Design Standards. Staff notes that the applicant is attempting to adhere to the design standards required in this chapter with one requested variance to 166.23(C)(4)(a).**

(2.) That satisfactory provisions and arrangements have been made concerning the following, where applicable:

(a.) Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe;

**Finding: The subject property is a corner lot with a proposed driveway on W. Holly St., a Residential Link street. Per UDC §166.23, a direct primary pedestrian walkway must connect the dwelling to the public sidewalk. The applicant requests a variance to route pedestrian connections to N. Gregg Ave. and W. Holly St. away from the unit's entryways. Staff recommends denial, as this standard exists to ensure safe, unobstructed pedestrian access to the dwelling.**

**Staff recommends a fee-in-lieu of sidewalk construction along N. Gregg Ave. in anticipation of City-led improvements. The proposed W. Holly St. sidewalk will be reviewed for compliance with Master Street Plan requirements for a Residential Link — 6-foot greenspace and 6-foot sidewalk within the right-of-way — with any additional street improvements determined at development review.**

(b.) Off-street parking and loading areas where required, with particular attention to ingress and egress, economic, noise, glare, or odor effects of the special exception on adjoining properties and properties generally in the district;

**Finding: Based on the applicant's submittal, there would be sufficient space to park the required number of vehicles on site per development requirements with four spaces being provided. The development is subject to compliance with the City's standards for two-family dwellings in single-family zoning districts as described in UDC §172, Parking and Loading.**

(c.) Refuse and service areas, with particular reference to ingress and egress, and off-street parking and loading,

**Finding: The applicant has indicated that they intend to utilize residential trash cart services and then placed at the curb for pick-up. Two-family structures are subject to compliance with the City's Urban Residential Design Standards, as outlined in UDC §166.23, which requires screening of trash and recycling facilities.**

(d.) Utilities, with reference to locations, availability, and compatibility;

**Finding:** An existing 6-inch water main is present on W. Holly St and another 8-inch water main is present on N. Gregg Ave. An existing 6-inch sewer main is present on N. Gregg Ave. Capacity will be reviewed with future development permits.

(e.) Screening and buffering with reference to type, dimensions, and character;

**Finding:** Staff is not recommending additional screening for the proposed conditional use. The City's Urban Residential Design Standards require that trash and recycling containers and mechanical and utility equipment be screened from view of the street. The applicant has indicated that they will locate the trash pad at the rear of the property near the end of the proposed driveway.

(f.) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;

**Finding:** Any proposed signage will be subject to the City's sign ordinance and all the regulations therein.

(g.) Required yards and other open space; and

**Finding:** Staff finds that the proposed development appears to meet the setback requirements associated with the underlying zoning district based on the site and building plans provided. Compliance with setback and landscaping requirements would be determined at the time of development review.

(h.) General compatibility with adjacent properties and other property in the district.

**Finding:** Staff finds that what is being proposed is modest enough that it would not be negative to the neighborhood's character. A duplex would be new in this area, and they are conditional use in RSF-4 zoning as two-family developments increase density. Although the overall square footage of the proposed development is somewhat larger than most nearby residential developments (approximately 3,600 sq. ft.), the individual unit size is comparable at 1,800 sq. ft. The property is near public infrastructure which may not be impacted by what is proposed.

(i.) General compatibility with the goals and intent of the city's adopted land-use, transportation, and other strategic plans.

**Finding:** Staff finds that the proposal is compatible with the City's adopted plans. City Plan 2040 designates the property as Residential Neighborhood Area with an infill score of 9-10. Allowing the development of a two-family dwelling on this property would be aligned with the goals of City Plan 2040 since it would encourage a wider range of housing types in an area that is appropriate for infill.

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**BUDGET/STAFF IMPACT:**

None

**Attachments:**

- Unified Development Code
  - §161.07 District RSF-4, Residential Single-Family - Four (4) Units Per Acre
- One Mile Map
- Close-Up Map
- Current Land Use Map
- Urban Forestry Memo
- Applicant Request letter
- Variance Request Letter
- Site Plan
- Floor Plan
- Elevations

## 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
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(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.

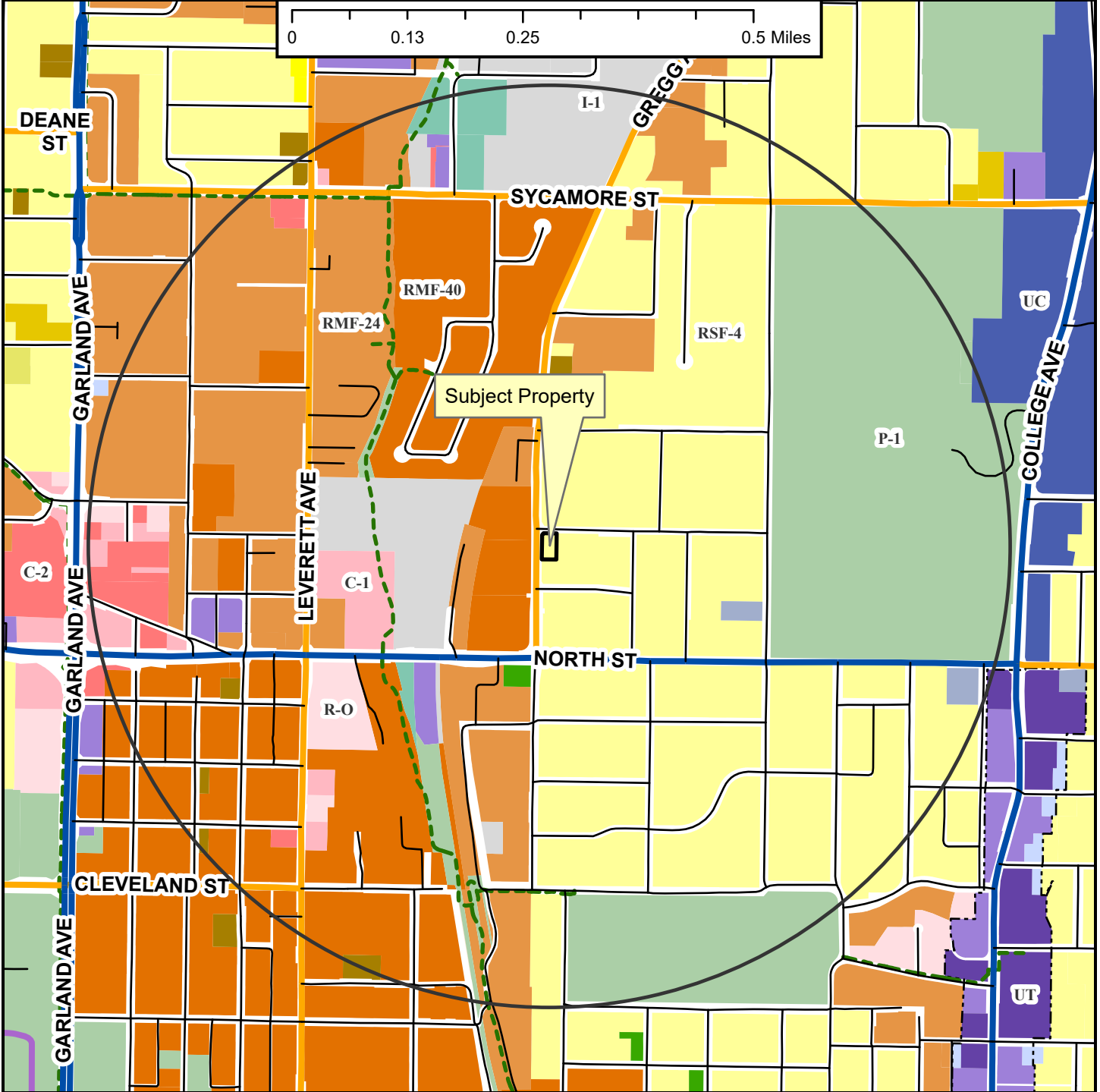
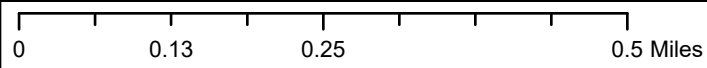
(Code 1991, §160.031; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 4858, 4-18-06; Ord. No. 5028, 6-19-07; Ord. No. 5128, 4-15-08; Ord. No. 5224, 3-3-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5921, §1, 11-1-16; Ord. No. 5945, §8, 1-17-17; Ord. No. 6015, §1(Exh.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

Editor's note(s)—Ord. No. 6625, §1 adopted December 6, 2022, "determines that Section 2 of Ordinance 6427 (Sunset Clause) be amended so that Ordinance 6427 and all amendments to Code Sections ordained or enacted by Ordinance 6427 shall automatically sunset, be repealed and become void on December 31, 2023, unless prior to that date the City Council amends this ordinance to repeal or further amend this sunset, repeal and termination section."

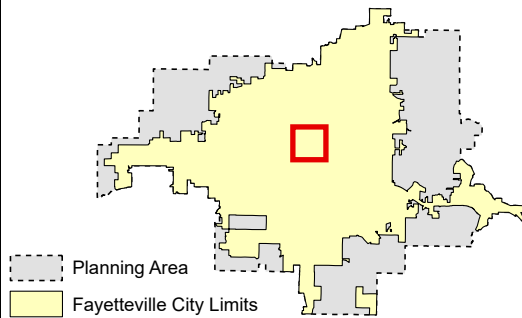
CUP-2026-0020

# W. OF 515 W. HOLLY ST.

One Mile View



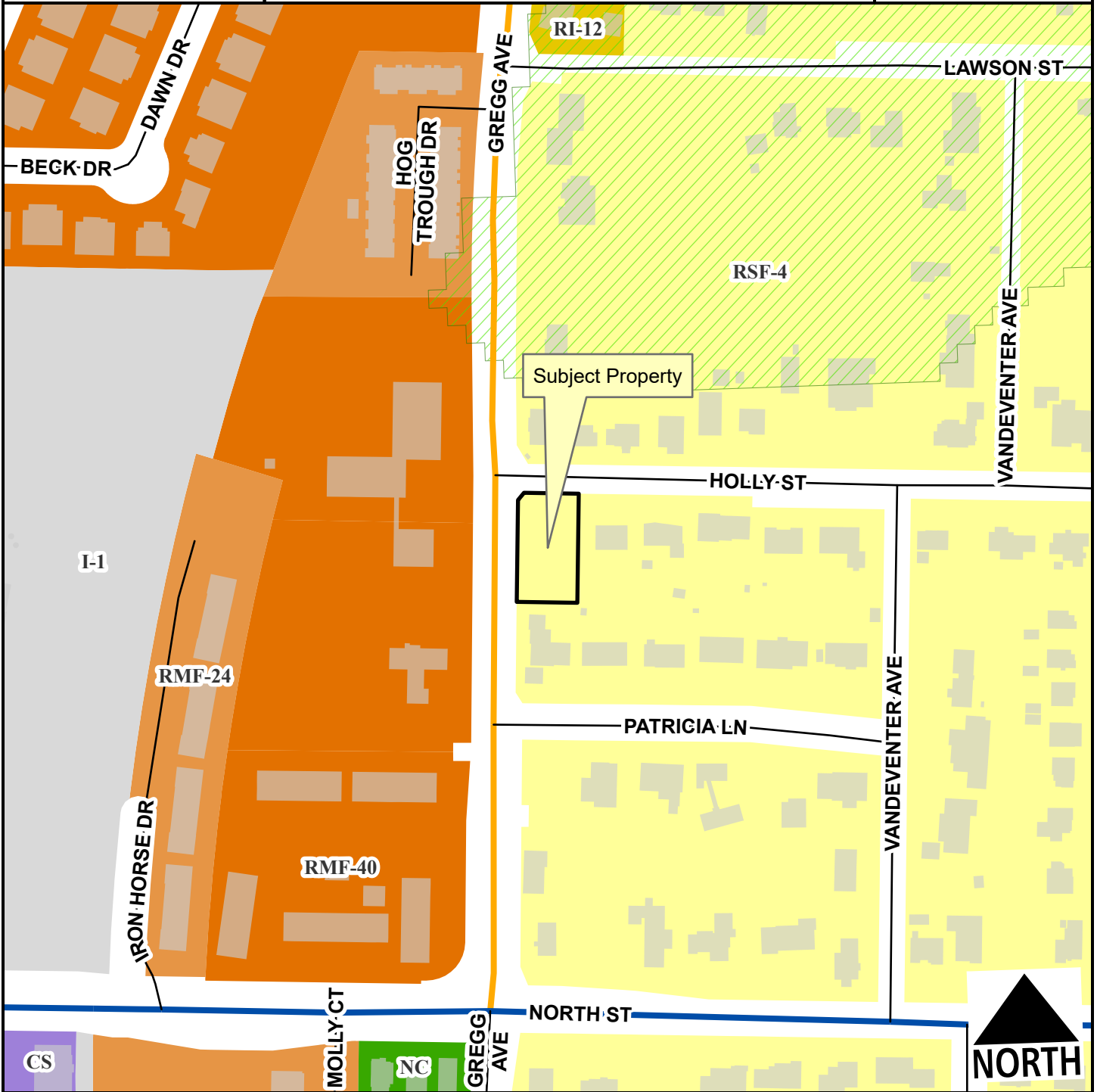
- Neighborhood Link
- Institutional Master Plan
- Regional Link - High Activity
- Unclassified
- Alley
- Residential Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Design Overlay District
- Fayetteville City Limits
- Planning Area



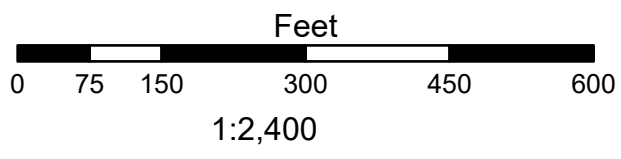
CUP-2026-0020

# W. OF 515 W. HOLLY ST.

Close Up View



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









CUP-2026-0020

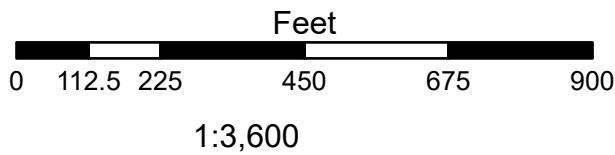
# W. OF 515 W. HOLLY ST.





Current Land Use



-  Neighborhood Link
-  Regional Link - High Activity
-  Unclassified
-  Residential Link
-  Planning Area
-  Fayetteville City Limits



### FEMA Flood Hazard Data

-  100-Year Floodplain
-  Floodway



## Planning Commission Memo

**TO:** Fayetteville Planning Commission

**THRU:** Wesley Frank, Planner

**FROM:** Willa Thomason, Urban Forester

**MEETING DATE:** May 11, 2026

**SUBJECT:** **CUP-2026-0020 Conditional Use Permit** W. OF 515 W. HOLLY ST. - Submitted by MARTIN BUILDING GROUP for property located W. OF 515 W. HOLLY ST. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.30 acres. The request is for a two-family dwelling in the RSF-4 zoning district. PP 406

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**RECOMMENDATION:**

Urban Forestry Staff is impartial to the approval of a variance to §166.23(C)(4), Pedestrian Circulation, associated with CUP-2026-0020, a request to permit a duplex in the RSF-4 zoning district. §166.23(C)(4) states that the primary pedestrian entry of ground floor dwelling units adjacent to public streets must connect unobstructed to the public sidewalk. The applicant intends to request to pay a fee-in-lieu of constructing the sidewalk along Gregg Ave to Master Street Plan standards, as this section of Gregg Ave will be improved using federal funding as a part of the Safe Streets and Roads for All (SS4A) program. Because a pedestrian connection installed to the specifications of §166.23(C)(4) would be removed with subsequent MSP improvements along Gregg Ave, the applicant has requested to install alternative pedestrian connections that would not incur disturbance with the successive street improvements.

The site, parcel 765-02194-000, is currently encompassed by 100% tree canopy cover in the RSF-4 zoning district which requires a minimum of 25% canopy preservation. The applicant intends to leave roughly 32% of the existing site area in canopy cover. Additional tree canopy will be removed with the subsequent City-initiated street improvements. The applicant posits that installation of a pedestrian connection per §166.23(C)(4) may not be sustainable given the future street improvements, and an alternative pedestrian connection that may remain undisturbed will serve to limit unnecessary tree removal elsewhere on-site. However, this position is impossible to verify.

**CONDITIONS OF APPROVAL:**

Urban forestry staff recommend that, as a condition of the approval of this conditional use permit, the applicant submit an arborist assessment with the subsequent permit submittal to locate and prioritize the preservation of healthy significant trees where there is flexibility in site-design.

# CITY OF FAYETTEVILLE, ARKANSAS

## CONDITIONAL USE

Please fill out the online submittal portal fields in Energov completely, supplying all necessary information and documentation to support your request. [https://egov.fayetteville-ar.gov/EnerGov\\_Prod/SelfService#/home](https://egov.fayetteville-ar.gov/EnerGov_Prod/SelfService#/home)

**Your application will not be placed on the Planning Commission agenda until this information is furnished.**

**Prior to submittal please clear all Viewports that were exported from the original CADD file as part of the PDF. These may prevent staff consideration and delay review or approval of your project.**

### CUP Checklist:

Attach the following items to this application:

(1) Payment in full of applicable fees for processing the application:

**CUP \$400.00**

**Public Notification Sign Fee (per sign) \$33.00**

(2) Legal description of property (may be found on deed or current survey of property). A survey may be required if the deed cannot be platted accurately.

### SURVEY DESCRIPTION:

A PART OF LOT 7, BLOCK 2 OF ADAMS ADDITION TO THE CITY OF FAYETTEVILLE, WASHINGTON COUNTY, ARKANSAS, AS PER THE FINAL PLAT THEREOF FILED IN BOOK 1 AT PAGE 145 IN THE RECORDS OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT ON THE SOUTH PLATTED RIGHT-OF-WAY OF WEST HOLLY STREET MARKING THE NORTHEAST CORNER OF SAID LOT 7 AND TRUE POINT OF BEGINNING AND RUNNING THENCE S00°14'32"W 150.00', THENCE N89°01'26"W 78.44' TO A POINT ON THE EAST RIGHT-OF-WAY OF NORTH GREGG AVENUE, THENCE ALONG SAID RIGHT-OF-WAY N00°14'37"E 146.14', THENCE CONTINUING ALONG SAID RIGHT-OF-WAY N40°10'31"E 4.98' TO A POINT ON THE SOUTH PLATTED RIGHT-OF-WAY OF WEST HOLLY STREET, THENCE ALONG SAID RIGHT-OF-WAY S89°01'26"E 75.24' TO THE POINT OF BEGINNING, CONTAINING 0.27 ACRES, MORE OR LESS. SUBJECT TO THAT PORTION IN WEST HOLLY STREET MASTER STREET PLAN RIGHT-OF-WAY ON THE NORTH SIDE OF HEREIN DESCRIBED TRACT AND SUBJECT TO ALL OTHER EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

(3) Complete description of this request (what is proposed by the applicant) to include all applicable items below (indicate N/A if it does not apply to your project): **The request of this CUP is to build a duplex in RSF-4 zoning district with a Variance to code 166.23 (C), (4).**

(a) Building size in square feet; existing and proposed

- The proposed building is 3628SF, each side of the duplex being 1816SF.

(b) Color elevations of all exterior sides of the structure

(c) Number of off-street parking spaces to be provided / number required

- There will be a total of 4 parking spaces on site, 2 per dwelling, reference site plan attached

(d) When request applies to a business or non-residential use:

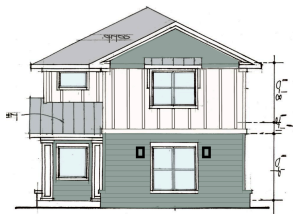
-Hours of operation (N/A)

-Number of employees (N/A)

-Anticipated number of patrons, clients, children, customers, etc. (average per day / peak hour) (N/A)

(e) Outdoor lighting

- The proposed building will have 4 total exterior sconce lights, 2 on each side, on each side of the windows seen below in BLACK



- (f) Noise - There will not be any noise concerns
- (g) Screening or buffering from adjacent properties
  - Owner of subject property owns adjacent property to the EAST and there is no property to the WEST
- (h) Trash and refuse service (with particular reference to visibility from the street and adjacent properties)
  - There will be a trash pad location near the back of the property at the end of the proposed driveway
- (i) Ingress and egress to the property; traffic impacts
  - The property will have a driveway entrance on the east side of the property for all residents to park and a hammer head at the end for them to turn around and exit the property
- (j) A response discussing the general compatibility of the proposed use with adjacent properties and other property in the neighborhood
  - The proposed duplex is a front-and-back (“tandem”) home that appears as a single-family cottage from the street. Its architecture, design, and density are consistent with the surrounding development pattern of the area. For example, the adjacent property has historically operated as a top-and-bottom duplex, demonstrating that multi-unit residential use already exists and functions on the same street. More broadly, the greater neighborhood reflects a transition in housing types and zoning. For example, south of Sycamore Avenue, nearby districts include RMF-40, RMF-24, RI-12, RI-U, and RSF-4, the proposed duplex aligns with this evolving context. Lastly, the site’s corner location along Gregg Street, a designated Neighborhood Link, also presents unique development challenges including significant grade change, required sidewalk improvements, GSP compliance, and tree mitigation, making a RSF-4 compatible design challenging from a feasibility standpoint. The proposed duplex offers a practical, context-sensitive solution that is in line with surrounding uses while supporting the City’s goal of middle housing and thoughtful infill along key corridors.
  - The Variance to code 166.23 (C), (4) is being requested due to hardship with the site’s grade. The property will have two alternative pedestrian links to existing and new sidewalks. See site plan attached.

(4) Site plan drawn to scale (if applicable), based on the deed or survey, showing all proposed structures dimensioned from the overhang to the property line, parking, driveways, Master Street Plan right-of-way, required setbacks.

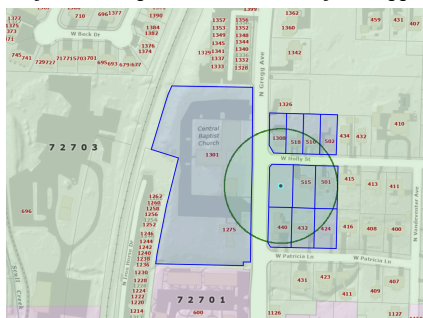
- See attached separately.

(5) Preliminary floor plans drawn to scale (if applicable) showing:

- (a) Location of walls, doors, windows
- (b) Identification of activity areas

- See attached separately.

(6) A copy of the county parcel map from the Washington County Assessor’s office website ([www.co.washington.ar.us](http://www.co.washington.ar.us)) or the Fayetteville Address Point File ([website instructions](#)). The subject property and all parcels within 200 feet should be identified on this parcel map. *(Applications for special conditional uses that require notification within 500 feet should show all properties within 500 feet of the project site. See the notification requirements section of this application.)*

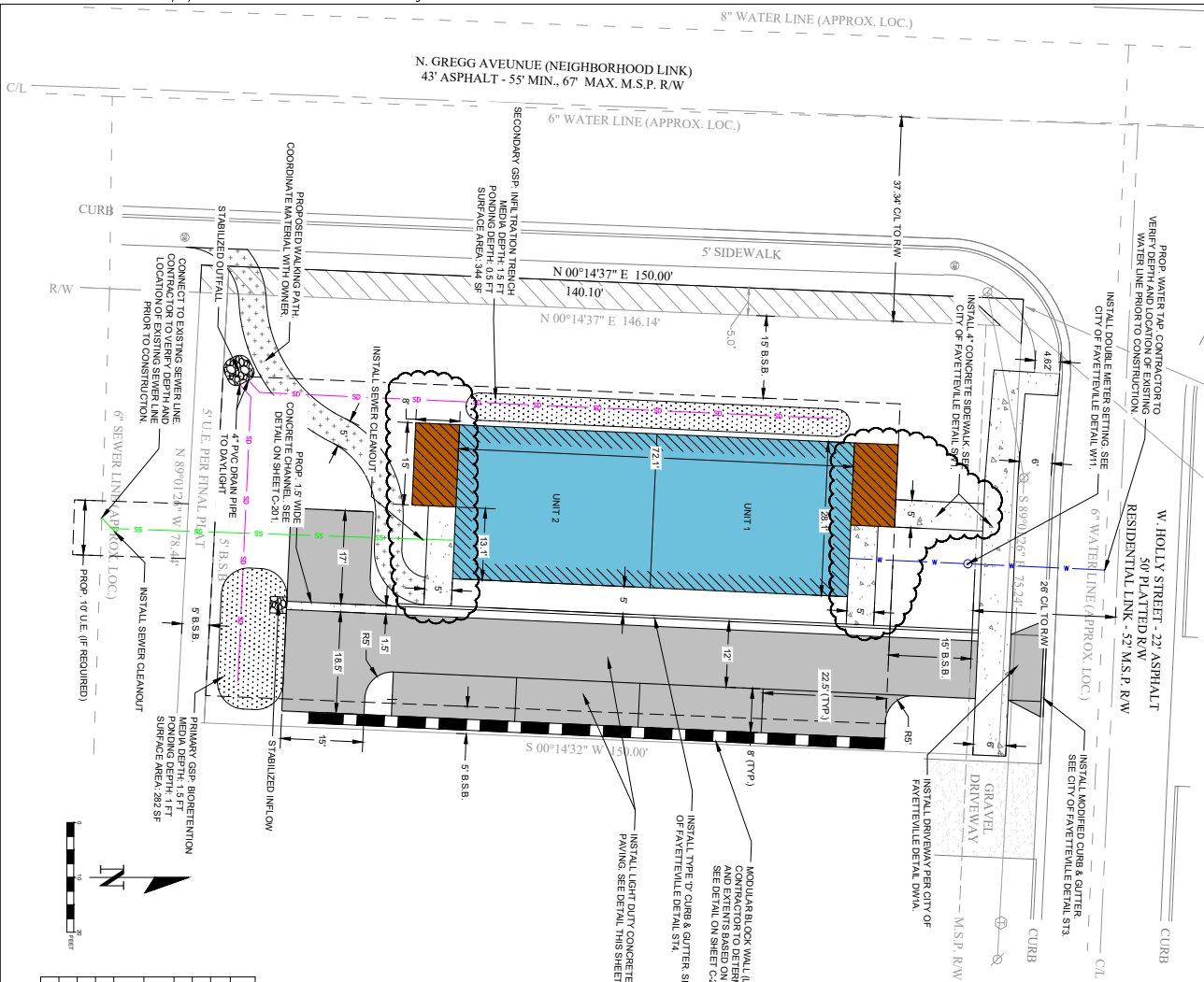


(7) Signature by current property owner of record on consent of owner form or written verification signed by such owner designating a project representative. See attached separately.

(8) The applicant is responsible for meeting the public notification requirements for a conditional use permit listed on the Notification Requirements pages in this application. This is required at a later date after initial submittal of request.

## Variance Request Letter

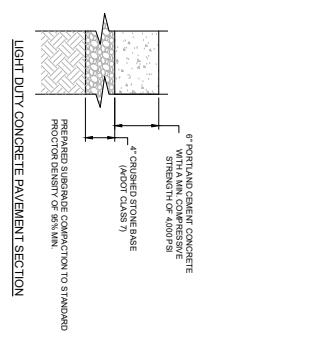
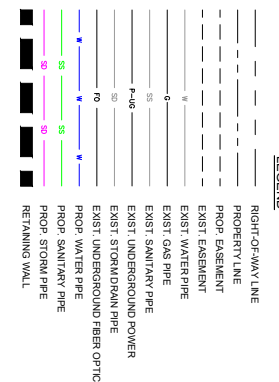
The Variance to code 166.23 (C), (4) is being requested due to hardship with the site's grade. We are working with city engineering on a fee in leui on the Gregg Street sidewalk improvements. The pedestrian access to the existing sidewalk could be in conflict with future city plans and require additional trees to be removed. The property will have two alternative pedestrian links to existing and new sidewalks. See site plan attached.



- NOTES:**
1. APPROXIMATE SHOWN ON THIS SHEET ARE SCHEMATIC AND IS NOT MEANT TO BE TAKEN AS CONSTRUCTION DOCUMENT. CONTRACTOR SHALL UTILIZE THE RECOMMENDATIONS ON THIS SHEET AT THEIR OWN RISK AND SHALL VERIFY ALL UTILITIES WITH THE CITY OF FAYETTEVILLE AND THE UTILITY OWNER.
  2. LOCATION OF SIDEWALK ALONG HOLLY STREET TENTATIVE AND SUBJECT TO FINAL CITY OF FAYETTEVILLE REQUIREMENTS.
  3. FRANCHISE UTILITY ROUTING CONNECTIONS ARE NOT SHOWN ON THIS PLAN. CONTRACTOR TO COORDINATE ALL FRANCHISE UTILITIES WITH UTILITY PROVIDER. ALL CONNECTIONS SHALL BE PERFORMED ACCORDING TO THE 2022 CITY OF FAYETTEVILLE WATER AND SEWER STANDARD SPECIFICATIONS.
  4. GSP INSTALLATION SHALL BE PERFORMED ACCORDING TO THE 2022 CITY OF FAYETTEVILLE WATER AND SEWER STANDARD SPECIFICATIONS.
  5. SANITARY SERVICE LATERAL SHALL BE SCH40 PVC.
  6. MINIMUM SLOPE FOR SANITARY SEWER LATERALS: 1/8" PER FOOT.
  7. SEWER LATERAL SLOPE: 1/4" PER FOOT MIN.
  8. SEWER LATERAL SLOPE: 1/8" PER FOOT MIN.

**SITE INFORMATION**

PROPOSED USE	DUPLEX
ZONING	RSF-4
PROPOSED LOT SIZE	11,282 SF (0.26 AC)
REQUIRED PARKING	MIN. 4 SPACES MAX. 8 SPACES
PROPOSED PARKING	4 SPACES
BUILDING SETBACKS	
FRONT	15'
REAR	15'
SIDE	5'



**ENGINEERING DIVISION**

DATE: 05-05-2026

PROJECT: 26004  
SHEET: C-101

**FAYETTEVILLE, AR**

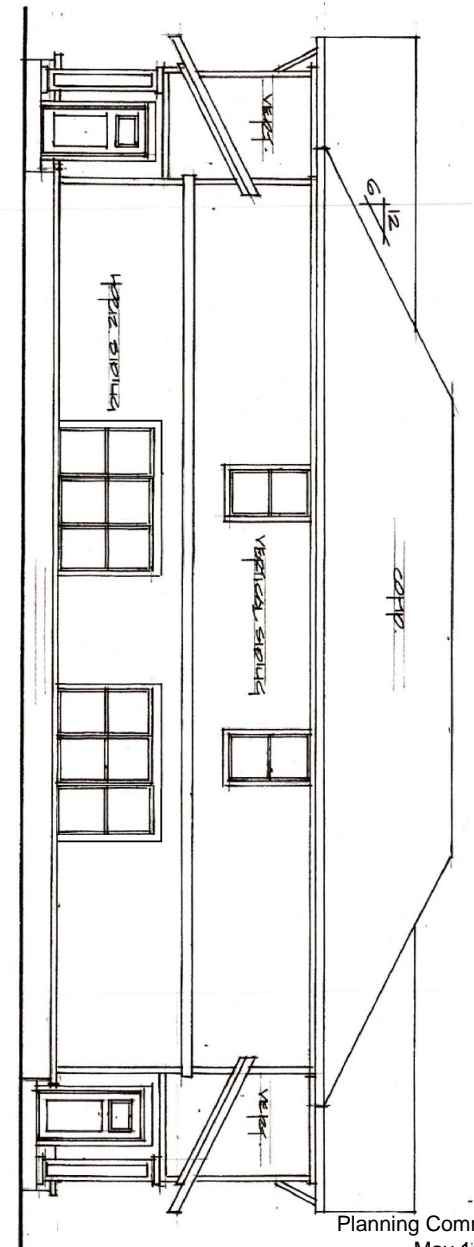
**BY DESIGN**  
Planning Commission  
ENGINEERING  
May 11, 2026

HOLLY STREET DUPLEX  
SITE PLAN

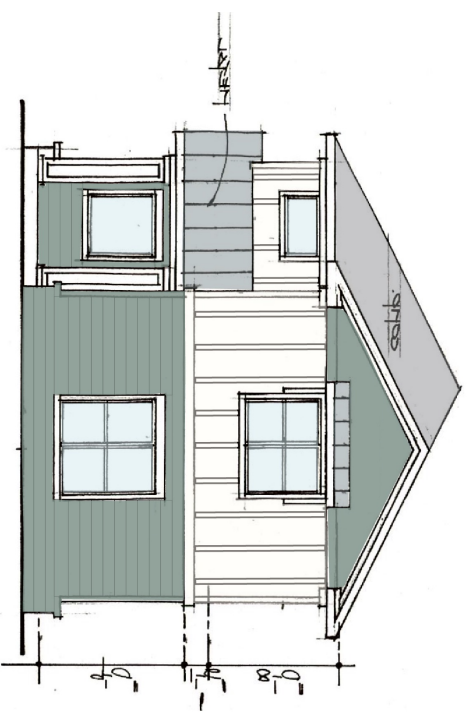
REV #	DATE	REVISION #1	DESCRIPTION
1	05-05-2026		



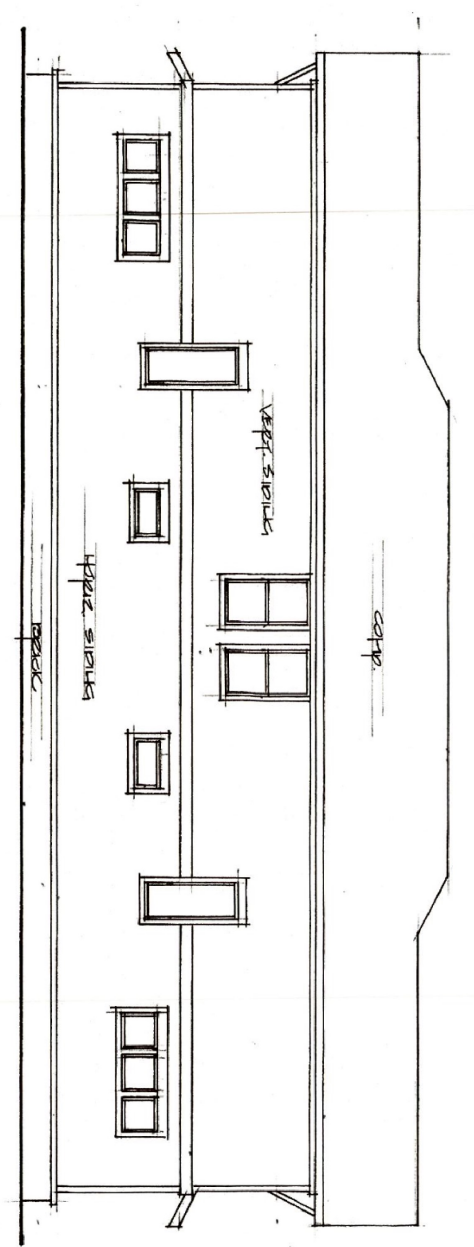
FRONT



Gregg Street



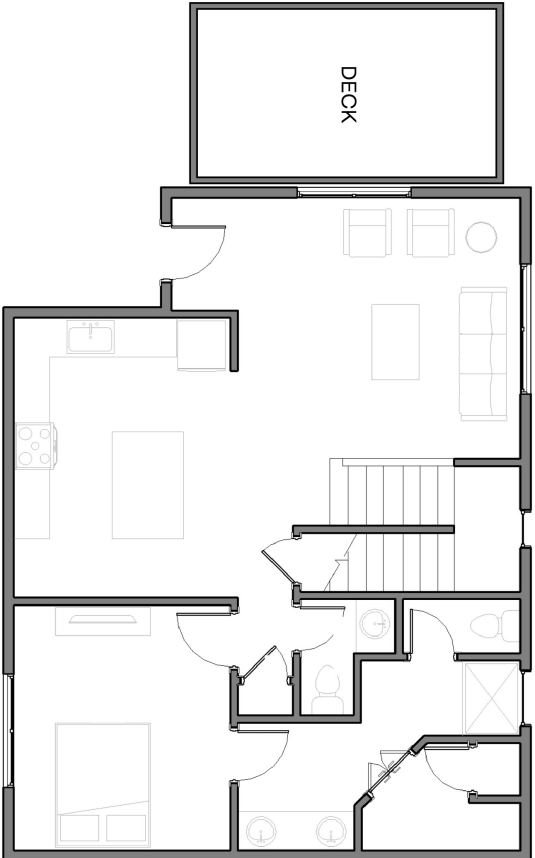
REAR



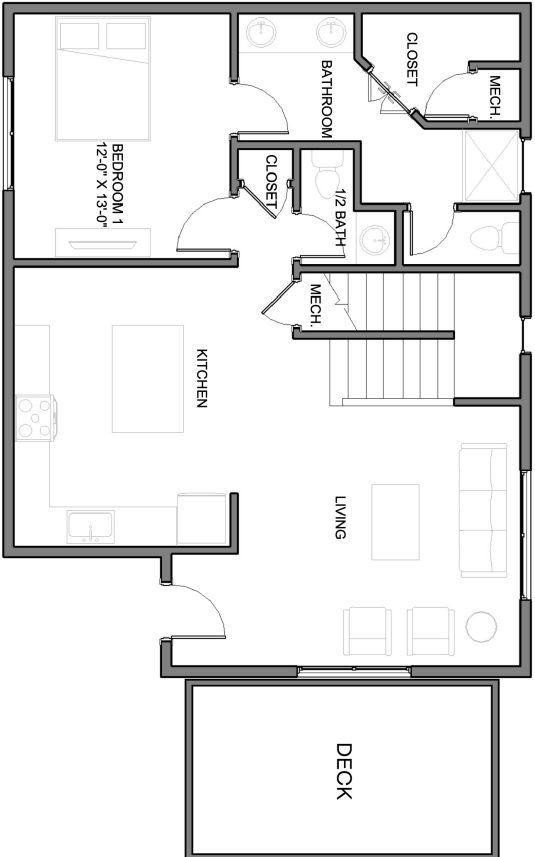
Driveway

# FLOORPLANS

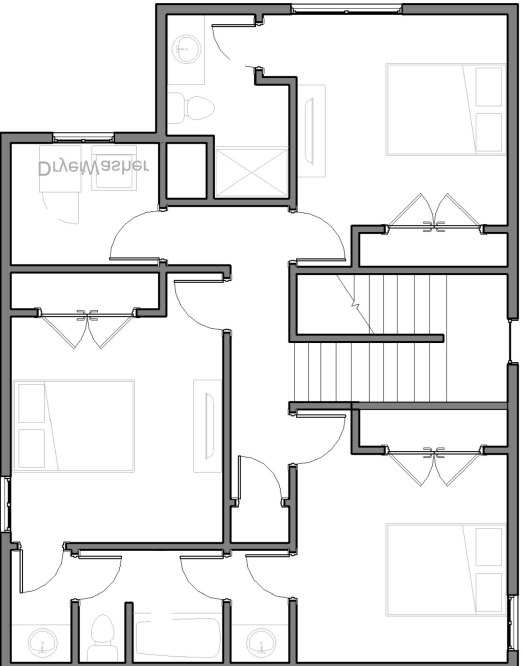
UNIT 2 - 1st Floor



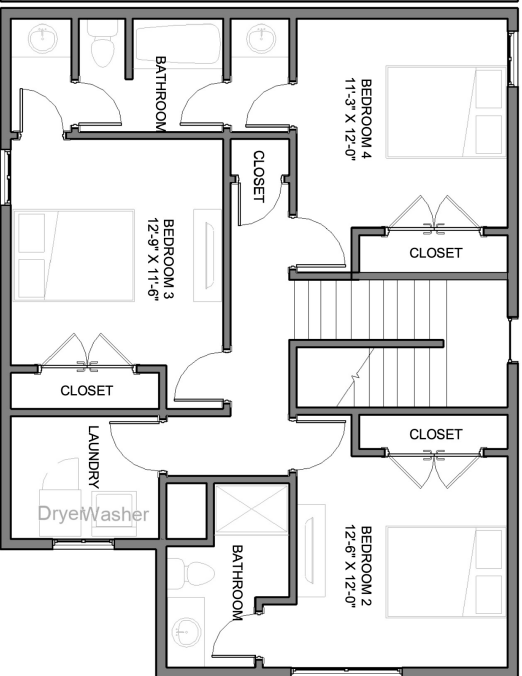
UNIT 1 - 1st Floor



UNIT 2 - 2nd Floor



UNIT 1 - 2nd Floor





**TO:** Fayetteville Planning Commission

**THRU:** Jessie Masters, Planning Director

**FROM:** Donna Wonsower, Senior Planner

**MEETING DATE:** May 11, 2026

**SUBJECT:** **CUP-2026-0021: Conditional Use Permit (1139 N. SUNSET DR. UNIT 2/MORRIS):** Submitted by MODERN FRONTIER PROPERTIES LLC for property located at 1139 N. SUNSET DR. UNIT 2. The property is zoned RSF-24, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.30 acres. The request is for the use of a short-term rental in a residential zoning district.

**RECOMMENDATION:**

Staff recommends approval of **CUP-2026-0021** with conditions.

**RECOMMENDED MOTION:**

*“I move to approve **CUP-2026-0021**, determining:*

- *In favor of compatibility with adjacent properties and*
- *In favor of all other conditions as recommended by staff.”*

**BACKGROUND:**

The subject property is located in central Fayetteville approximately 200 feet south of the intersection of W. Wedington Dr. and N. Sunset Dr. The property is zoned RSF-4, Residential Single-Family, Four Units per Acre, and is wholly encompassed by the Hillside-Hilltop Overlay District. The 0.30-acre parcel has been developed with a 2,744 square foot single-family structure built in 1960 per the Washington County Assessor. The existing enclosed garage was converted to an accessory dwelling unit in 2025. On April 20, 2021, City Council adopted an ordinance to regulate short-term rentals operating within its limits. On December 16, 2025, City Council amended the ordinance to enact new requirements for short-term rentals, and on July 6, 2023, City Council amended the Type 2 short-term rental density cap from two percent of all dwelling units to 475 units city wide. This report reflects those changes. Surrounding land uses and zoning are depicted in *Table 1*.

**Table 1:  
Surrounding Land Uses and Zoning**

<b>Direction</b>	<b>Land Use</b>	<b>Zoning</b>
North	Single-Family Residential	RSF-4, Residential Single-Family, Four Units per Acre
South	Single-Family Residential	RSF-4, Residential Single-Family, Four Units per Acre
East	Single-Family Residential	RSF-4, Residential Single-Family, Four Units per Acre
West	Single-Family Residential	RSF-4, Residential Single-Family, Four Units per Acre

*City Plan 2040 Future Land Use Designation:* Residential Neighborhood

*Proposal:* The applicant requests conditional use permit approval to use the accessory dwelling unit on the property as a Type 2 short-term rental, which are those not occupied by a permanent resident. Type 2 short-term rentals are subject to density limitations, including a city-wide cap of 475 units, and restrictions on the number of units that may be used as a short-term rental in multi-family dwelling complexes. CUP at this location would solely apply to this unit, and not the entire parcel.

*Public Comment:* To date, staff has not received any public comment regarding this request.

**RECOMMENDATION:** Staff recommends approval of **CUP-2026-0021** with the following conditions:

**Conditions of Approval:**

1. **Planning Commission determination of compatibility.** *Staff finds the proposed short-term rental to be compatible based on the findings contained herein;*
2. Approval of the conditional use permit does not ensure approval of a business license application. The applicant must still be able to comply with all other applicable requirements in city code;
3. Per UDC §166.20, Expiration of Approved Plans and Permits, a business license must be obtained within one year of conditional use permit approval;
4. Per ordinance, the number of occupants is limited to a maximum of two people per bedroom when the property is operated as a short-term rental;
5. Special events including, but not limited to, weddings, receptions, anniversaries, private parties, fundraisers, and business seminars are prohibited from occurring in the short-term rental;
6. No recreational vehicle, trailer, other vehicle, or structure not classified as a permanent residential dwelling may be used as a short-term rental;
7. All trash receptacles shall be screened from view of the right-of-way;
8. All outdoor lighting shall meet requirements as outlined in UDC Chapter 176, Outdoor Lighting;
9. Any signage shall meet the requirements as outlined in UDC Chapter 174, Signs; and
10. Per Business Regulations §120.02(A), the owners of only short-term rentals shall be required to designate and register their landlord's representative into the Landlord's Representative Registry.

<b>PLANNING COMMISSION ACTION:</b>	<b>Required</b>	<b><u>YES</u></b>	
<b>Date:</b> <u>May 11, 2026</u>	<input type="checkbox"/> <b>Tabled</b>	<input type="checkbox"/> <b>Approved</b>	<input type="checkbox"/> <b>Denied</b>
<b>Motion:</b>			
<b>Second:</b>			
<b>Vote:</b>			

**FINDINGS OF THE STAFF**

**§163.02. AUTHORITY; CONDITIONS; PROCEDURES.**

- B. Authority; Conditions.** The Planning Commission shall:
  1. Hear and decide only such special exemptions as it is specifically authorized to pass on by the terms of this chapter;
  2. Decide such questions as are involved in determining whether a conditional use should be granted; and,
  3. Grant a conditional use with such conditions and safeguards as are appropriate under this chapter; or
  4. Deny a conditional use when not in harmony with the purpose and intent of this chapter.
  
- C. Procedures.** A conditional use shall not be granted by the Planning Commission unless and until:
  1. A written application for a conditional use is submitted indicating the section of this chapter under which the conditional use is sought and stating the grounds on which it is requested.

**Finding: The applicant has submitted a written application requesting a conditional use permit for a Type 2 short-term rental in the RSF-4 zoning district.**

2. The applicant shall pay a filing fee as required under Chapter 159 to cover the cost of expenses incurred in connection with processing such application.

**Finding: The applicant has paid the required filing fee.**

3. The Planning Commission shall make the following written findings before a conditional use shall be issued:
  - (a.)** That it is empowered under the section of this chapter described in the application to grant the conditional use; and

**Finding: The Planning Commission is empowered under Business Regulations §163.18 to grant the requested conditional use permit.**

- (b.) That the granting of the conditional use will not adversely affect the public interest.

**Finding:** Staff finds that granting the requested conditional use is unlikely to adversely affect the public interest as it is not apparent how parking needs would be met. On-street parking is not permitted along N. Sunset Dr. and the applicant has indicated that one space will be available within the existing driveway for guests, though there is space for additional vehicles. Staff finds the size and scale of the property are aligned with the character of the surrounding area along N. Sunset Dr. and that the request is likely substantially similar to existing conditions. Applicable business license requirements, including a required building safety inspection, and applicable density caps on Type 2 short-term rentals are likely to minimize additional negative impacts.

- (c.) The Planning Commission shall certify:

- (1.) Compliance with the specific rules governing individual conditional uses; and

**Finding:** There are specific rules governing short-term rentals, as follows:

**§163.18. SHORT-TERM RENTALS.**

- A. **Residential Zoning Districts.** Type 2 short-term rentals may be permitted as a conditional use in the following residential zoning districts: R-A, RSF-.5, RSF-1, RSF-2, RSF-4, RSF-7, RSF-8, RSF-18, RI-12, RI-U, RMF-6, RMF-12, RMF-18, RMF-24, RMF-40, and NC. Short-term rentals may be permitted by right or by conditional use in planned zoning districts subject to the zoning regulations enacted by the City Council for each district. Short-term rentals in non-residential zoning districts, mixed use zoning districts, or other zoning districts not listed above are not required to apply for a conditional use permit.

**Finding:** The request is to operate a Type 2 short-term rental in the RSF-4 zoning district. All residential only zoning districts require a conditional use permit for use unit 46.

- B. **Occupancy.** Maximum of two (2) people per bedroom for the entire unit when operated as a short-term rental.

**Finding:** The house contains a total of one bedroom which would limit occupancy to a maximum of two guests per ordinance. Occupancy limitations are confirmed by the applicant during licensing.

- C. **Parking.** Parking is limited to the maximum number of vehicles as allowed by the underlying zoning district for the residential building on the property.

**Finding:** Parking for single-family dwellings is required to be provided at a rate of two spaces per unit and up to four vehicles are permitted to be parked outside on the property at any given time. The applicant has indicated that there are

**four off-street parking spaces available in the driveway and that one of these spaces will be available for guest use.**

- D. Special events are not permitted in a short-term rental. Examples of special events include, but are not limited to, weddings, receptions, anniversaries, private parties, fundraisers and business seminars.

**Finding: The applicant's request letter suggests that the property will comply with the City's regulations for a short-term rental. As a condition of approval, staff recommends a prohibition on special events.**

- E. Short-term rental units are allowed in any structure established as a permanent residential dwelling including an accessory dwelling unit. No recreational vehicle, trailer, other vehicle or structure not classified as a permanent residential dwelling may be used as a short-term rental.

**Finding: The application is for use of the property at 1139 N. Sunset Dr. Unit 2. Staff recommends a condition confirming that no recreational vehicle, trailer, other vehicle or structure not classified as a permanent residential dwelling may be used as a short-term rental.**

- F. **Exceptions.** Exceptions to the short-term rental standards, except proposals that would exceed the city-wide density maximum, may be granted by the Planning Commission as a conditional use permit.

**Finding: Type 2 short-term rentals are subject to a city-wide density cap at 475 units. As of April 08, 2026, the City had issued 456 Type 2 short-term rental business licenses. Approval of this CUP would not violate the City's density cap. Granting a conditional use permit for this location would give the applicant the zoning entitlement necessary to apply for a business license, but it would not guarantee approval of a business license.**

- G. Short-term rentals must comply with all applicable codes under City Code §118.01 and successfully obtain a business license prior to operation.

**Finding: This short-term rental would be subject to all codes in Business Regulations §163.18 that apply to Type 2 short-term rentals in residential zoning districts. Applicable business licensing requirements will be reviewed by staff and confirmed by the applicant at the time of licensing.**

- H. Short-term rentals in residential zoning districts may be subject to denial or additional conditions based upon the Planning Commission's findings on the following factors:

1. Adequate parking infrastructure;
2. Adequate adjoining or nearby streets for on-street parking;
3. Frequency or concentration of nearby licensed Type 2 short-term rentals;
4. Prior zoning or code violations;
5. Proximity to public or private K-12 schools when the proposed property is within 1,000 feet of the school boundary line;

6. Compatibility with nearby residential neighborhood;
7. All standards, requirements, and considerations of §118.01 (E) *Short-term Rentals* and §163.02 Authority; Conditions, Procedures.

**Finding:** City records indicate that ten other units within a quarter-mile radius of the property have a business license to operate as a Type 2 short-term rental including one directly across the street (~1.5% of units). Accessory dwelling units are subject to the city's overall cap but not to specific density or separation requirements outlined for single-family and multifamily structures. There have been no prior zoning or code violations on this property and there are no private or public schools within 1,000 feet of a school's boundary line.

The applicant has indicated that there are four off-street parking spaces available in the driveway and that one of these spaces will be available for guest use. No on-street parking is not permitted on N. Sunset Dr. As the unit is limited to two-guests, staff finds this on-site parking is likely sufficient.

**§163.02. AUTHORITY; CONDITIONS; PROCEDURES. (continued)**

- (2.) That satisfactory provisions and arrangements have been made concerning the following, where applicable:
  - (a.) Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe;

**Finding:** One driveway is available to accommodate vehicular ingress and egress; with one driveway space available for guest parking. The use of the property would be limited to a maximum of two guests which would not be out of character with the use of the property for residential purposes.

- (b.) Off-street parking and loading areas where required, with particular attention to ingress and egress, economic, noise, glare, or odor effects of the special exception on adjoining properties and properties generally in the district;

**Finding:** A total of four off-street parking spaces are available on the paved driveway with one space available for short-term rental guests per the applicant. The short-term rental ordinance limits the number of guest vehicles to the maximum number of four vehicles as allowed by the underlying zoning district.

- (c.) Refuse and service areas, with particular reference to ingress and egress, and off-street parking and loading;

**Finding:** The applicant proposes to utilize existing residential trash cart services. Staff recommends a condition confirming that the containers are stored in a location that is screened from public view when not placed at the curb for pick-up.

(d.) Utilities, with reference to locations, availability, and compatibility;

**Finding:** Utilities are currently available to the property and its use as a short-term rental is not expected to impact the provision of utilities.

(e.) Screening and buffering with reference to type, dimensions, and character;

**Finding:** Staff recommends that residential carts be screened so that they are not visible from the public right-of-way.

(f.) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;

**Finding:** Any proposed signage will be subject to Unified Development Code Chapter 174, Signs, and all regulations therein.

(g.) Required yards and other open space;

**Finding:** Based on the applicant's submittal, the house and attached ADU appear to be meeting relevant setbacks.

(h.) General compatibility with adjacent properties and other property in the district; and

**Finding:** Staff finds the proposed use to be compatible with surrounding properties as proposed. There are ten other licensed Type 2 short-term rental within a quarter-mile radius including one operating directly across the street. The unit is small and adequate off-street parking appears to be available.

(i.) General compatibility with the goals and intent of the city's adopted land-use, transportation, and other strategic plans.

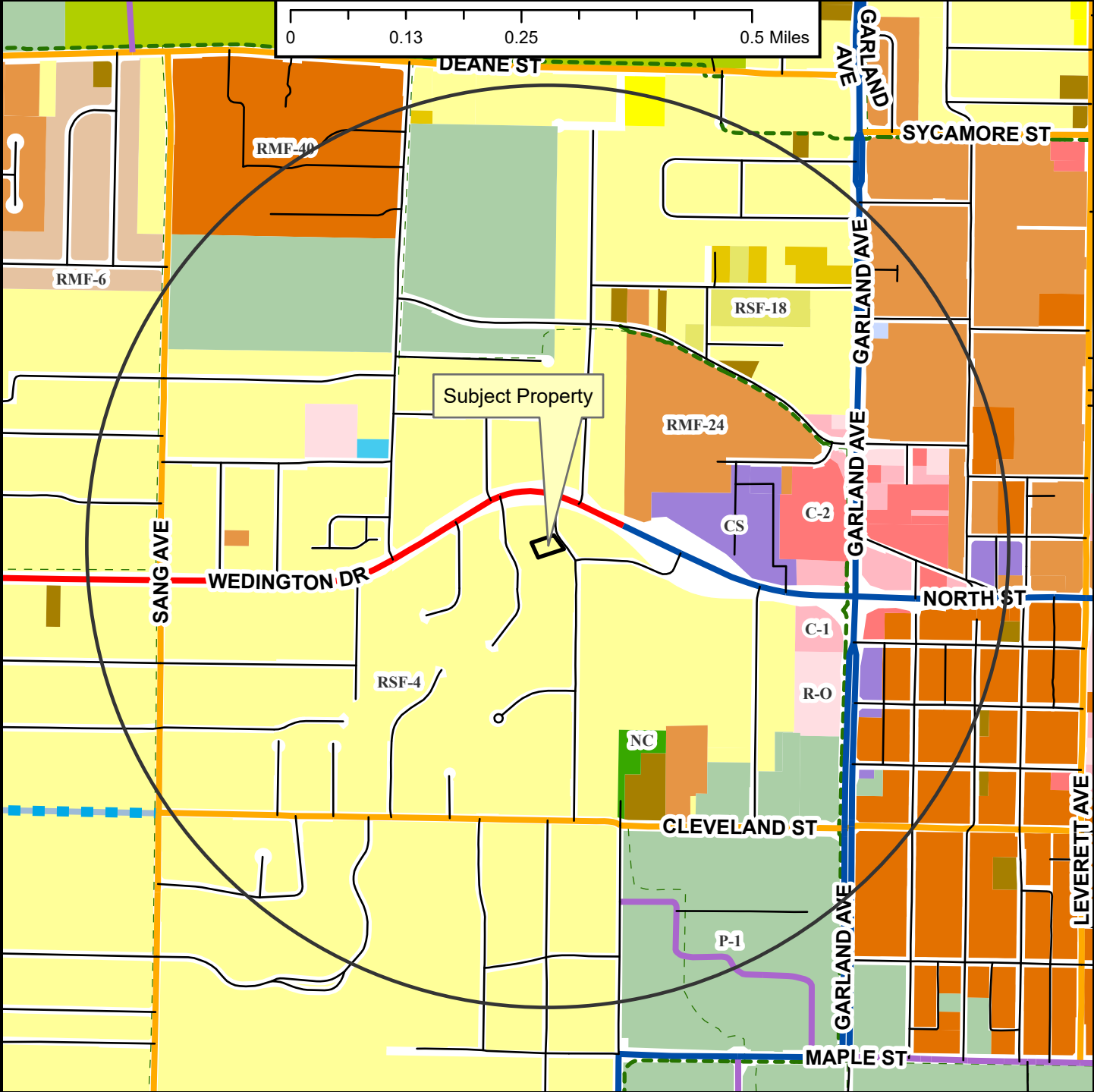
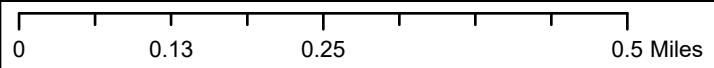
**Finding:** Staff finds the proposed use to be somewhat compatible with the goals and intent of the City's adopted land use, transportation, and other strategic plans since it does clearly support the stated goals in those plans. However, there are safeguards in place that limit how short-term rentals operate to ensure that the City can still meet those goals, including a city-wide density cap and restrictions on the number of units that may be used as a short-term rental in multi-family dwelling complexes.

**BUDGET/STAFF IMPACT:**

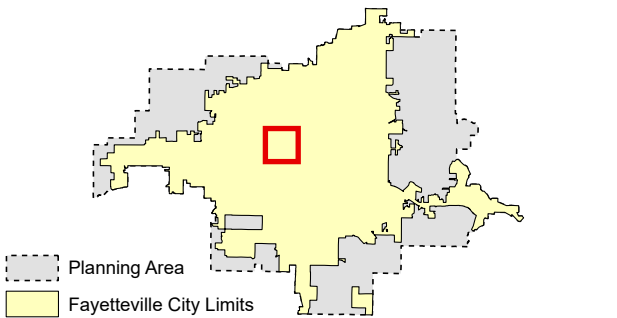
None

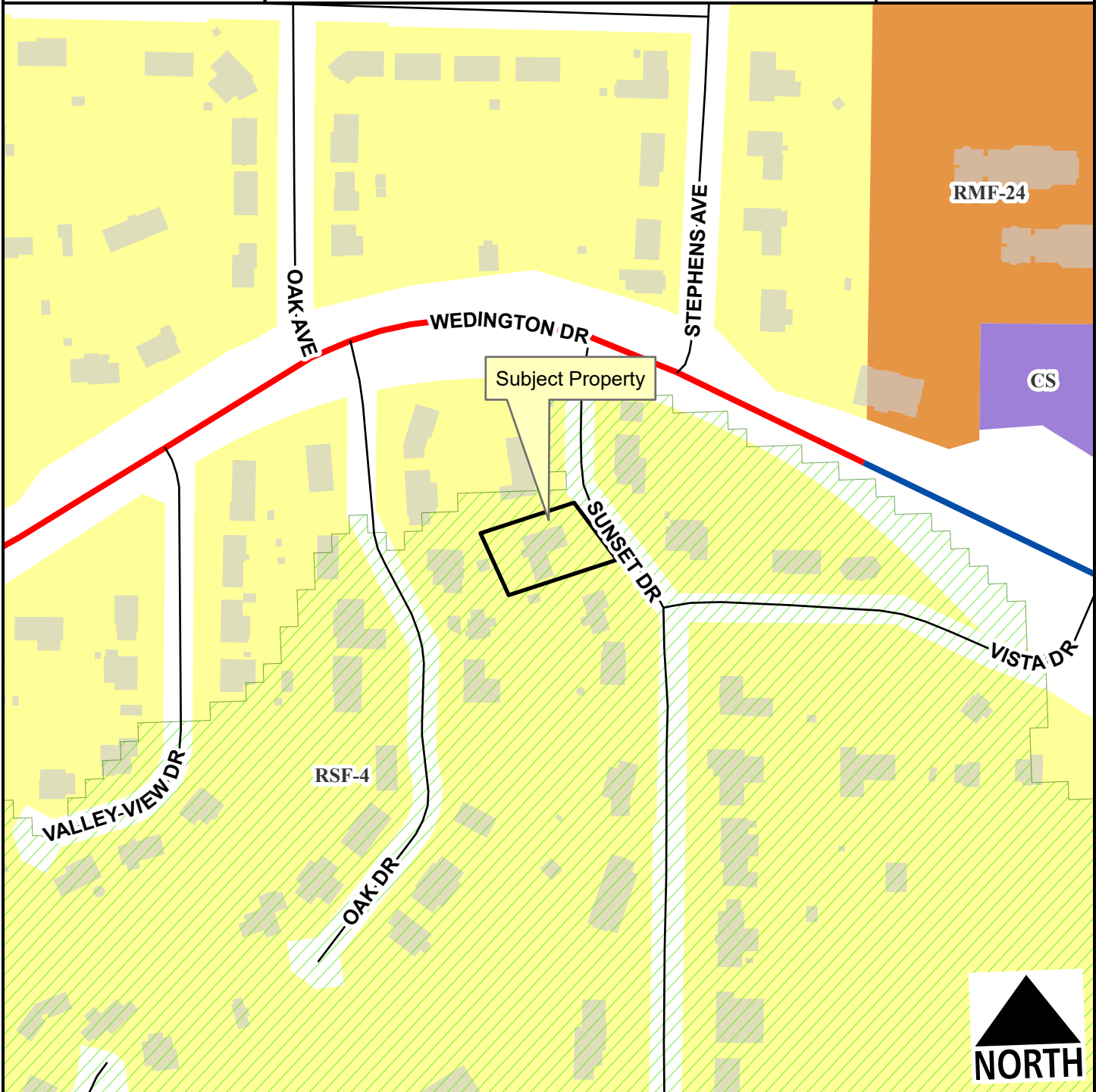
**ATTACHMENTS:**

- Project Maps
  - One Mile Map
  - Close-Up Map
  - Current Land Use Map
  - STRs within ¼ Mile Map
- Business Regulations
  - §118.01 Business Registry and License
  - §163.18 Type 2 Short-Term Rentals in Residential Zoning Districts
- Unified Development Code
  - §161.07 District RSF-4, Residential Single-Family –Four (4) Units Per Acre
- Applicant Exhibits
  - Applicant Request Letter
  - Site Plan
  - Floor Plan
  - Building Elevations

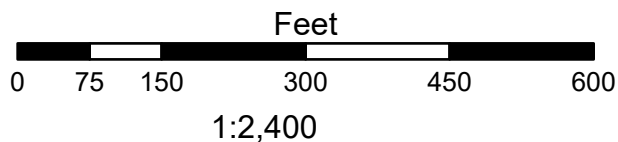


- Regional Link
- Neighborhood Link
- Institutional Master Plan
- Regional Link - High Activity
- Unclassified
- Alley
- Residential Link
- Planned Residential Link
- Shared-Use Paved Trail
- - - Trail (Proposed)
- Fayetteville City Limits
- Planning Area





- Regional Link
- Regional Link - High Activity
- Unclassified
- Residential Link
- Hillside-Hilltop Overlay District
- Planning Area
- Fayetteville City Limits



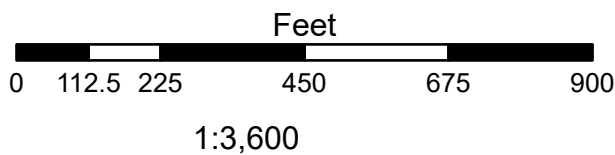
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# 1139 N SUNSET DR UNIT 2

Current Land Use



- Regional Link
- Regional Link - High Activity
- Unclassified
- Alley
- Residential Link
- Trail (Proposed)
- Planning Area
- Fayetteville City Limits



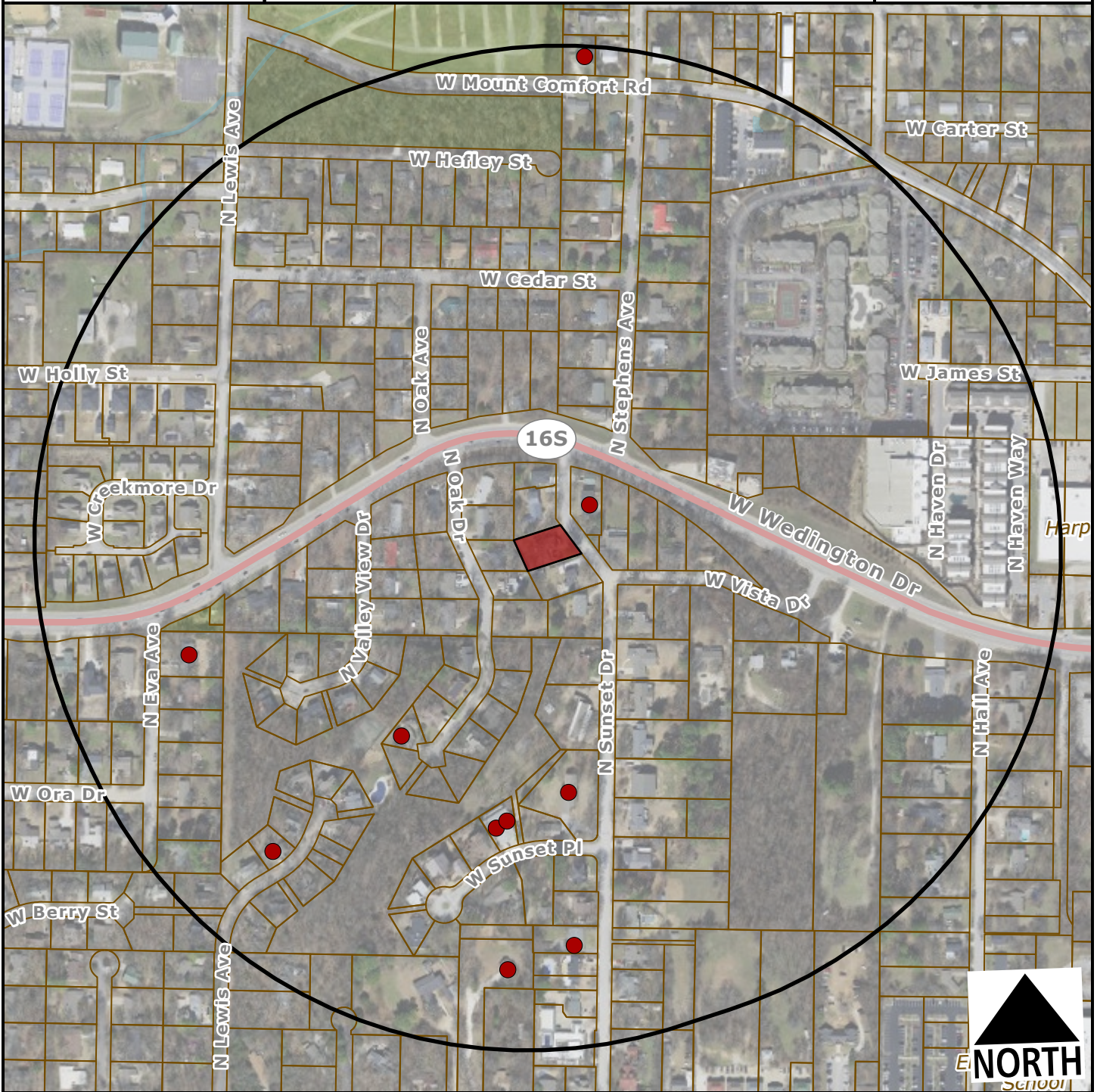
### FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

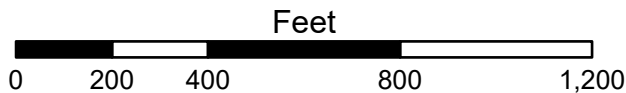
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# 1139 N SUNSET DR UNIT 2

STRs Within 1/4 Mile



- Subject Property
- Short Term Rental, Type 2



1:4,800

### Within 1/4 Mile

Type 2 STRs: 10

Occupiable  
Residential  
Addresses  
(Estimated  
Housing Units): 684

## §118.01 Applicability

(E) *Short-Term Rentals.* A residential dwelling unit, portion of a dwelling unit, or bedroom within a residential dwelling unit, leased and/or rented to a guest(s), for a period of less than thirty (30) consecutive days.

(1) *Short-Term Rental, Type 1.* A short-term rental is where the owner or long-term tenant occupies the principal dwelling or the accessory dwelling unit as their primary full-time residence for at least nine (9) months of each calendar year and rents the remaining portion of their residence or their accessory dwelling unit as a short-term rental. An applicant for a Type 1 short-term rental shall provide a copy of the property's Homestead Tax Credit, long-term lease agreement or other comparable evidence of long-term residency to the city to prove the long-term residency requirement. The long-term occupant of the property is responsible for the management and control of occupants in the short-term rental, Type 1 to ensure no adverse effects or problems are inflicted upon residential neighbors.

(2) *Short-Term Rental, Type 2.* If a desired short-term rental does not qualify as a short-term rental, Type 1, a property owner may seek to be approved as a short-term rental, Type 2. A new short-term rental, Type 2 may be permitted in residential zoning districts pursuant to the requirements of §163.18 and in non-residential and mixed-use zoning districts pursuant to §164.26. All short-term rentals, Type 2 must also comply with requirements of §118.01(E).

(3) *License Required.* No dwelling unit in the city shall be used as a short-term rental unless:

(a) The owner of the dwelling unit or operator of the short-term rental possess a valid and current business license for the dwelling unit, and fully complies with all legal requirements and duties imposed herein with respect to each and every short-term rental; and

(b) The owner has designated an agent, where said agent fully complies with all legal requirements and duties imposed herein with respect to every short-term rental. The owner may serve as their own agent.

(c) The owner of the dwelling unit or operator of the short-term rental provides proof of a valid and current homeowners insurance rider policy which fully covers each unit when operated as short-term rental unit.

(4) A separate business license shall be required for each dwelling unit used as a short-term rental.

(5) Any change in ownership requires a new or amended business license.

(6) If any required contact information changes for the associated business license, the person to whom the license was issued shall immediately notify the Development Services Department in writing.

(7) *License Application.* The application for a business license shall include at minimum, the following information from applicants:

(a) The property owner's information including legal name, mailing address, immediate contact phone number, and immediate contact E-mail address.

(b) Information for the dwelling unit subject to the application, inclusive of the physical street address assigned by the city.

(c) The type and total number of dwelling units located on the lot of record containing the dwelling unit subject to the application.

(d) If the owner is not their own agent, the owner designated agent's information including legal name, mailing address, immediate contact phone number and immediate contact E-mail address.

(e) Documentation of approval of a life safety and egress inspection by the City Building Safety Division for the dwelling unit subject to the application.

(f) Proof of application for remittance of hotel, motel and restaurant tax to the City of Fayetteville, and verification that all sales, use, and hotel, motel and restaurant taxes are current.

(g) Any additional data as deemed necessary or desirable for permit approval by the Development Services Director.

(8) *License Renewals.* Business licenses for short-term rentals shall be renewed in accordance with Chapter 118 of the Business Regulations (Business Registry and Licenses).

(9) *Legal Duties of License Holders.* An owner possessing a short-term rental license shall comply at all times with the following requirements:

(a) *Occupancy.* Short-term rentals shall be subject to, and may not exceed, the occupancy limits approved with the business license.

(b) *Advertisements.* A short-term rental shall not be advertised if it violates occupancy, density, safety, and any of the other provisions of the Fayetteville Code. No short-term rental unit shall be advertised prior

to having obtained a business license and the business license number shall be included in the advertisement listing.

(c) *Information and Posting.* Business licensees shall provide to guests and post conspicuously in the common area of the short-term rental unit the city phone number to report a safety complaint.

(10) *Owner or Agent Accessibility.* The property owner shall ensure that they or a designated agent are available at all times during guest occupancy, including nights and weekends, in order to facilitate compliance with this section. For the purposes of these regulations, "availability" means that the owner or agent is accessible by telephone, and, able to be physically present at the short-term rental within three (3) hours of being contacted.

(11) *Guest Records.* The owner shall maintain summary guest registration records, which shall contain the actual dates of occupancy, total number of guests per party per stay, and the rate(s) charged, but shall not contain any personally identifiable information about guests. Such records shall be maintained for three (3) years and shall be provided to the city upon request.

(12) *Health and Safety.* The owner shall ensure that each dwelling unit governed by this section complies with the applicable provisions of the Unified Development Code Chapter 173, Building Regulations.

(13) *Criminal Activity.* The owner shall timely report any known or reasonably suspected criminal activity by a guest to the Fayetteville Police Department within twelve (12) hours maximum.

(14) *Taxes and Fees.* Except for those instances in which a hosting platform bears the responsibility for collecting and remitting taxes and fees applicable to short-term rentals, the property owner shall timely remit in full Fayetteville Hotel, Motel and Restaurant tax and other applicable local, state, and federal taxes and city fees owed in connection with any short-term rental. The failure of a hosting platform to collect and remit taxes and fees shall not relieve an owner of the obligation to pay taxes and fees owed pursuant to this section.

(15) *Authorization to Occupy, Use, and Operate.* Authorization to operate a short-term rental may be granted by the Development Services Director through the issuance of a City of Fayetteville Business Registry and License (Business License).

(16) *Density For Type 2 Short-Term Rentals.* A city-wide density cap of four hundred seventy-five (475) dwelling units may be Type 2 rentals. A conditional use permit may not permit:

(a) More Type 2 short-term rentals than what is allowed by the city-wide density cap.

(b) More than 10% or a single unit whichever is greater; of total dwelling units as Type 2 rentals within a multi-family dwelling complex.

(c) Individual 2-, 3- and 4-family buildings that are owned by the same person or entity and are not a part of a multi-family complex shall have no more than one (1) Type 2 short-term rental unit per building complex.

(d) Where attached residential units are held separately through condominium association, horizontal property regime, fee simple, or similar ownership structure, no cap shall be applied to buildings with attached residential dwellings. Structures of attached residential dwellings where applicants seek more than 10% of total units for licensing as Type 2 rentals shall be evaluated by the Building Safety Director and/or Fire Marshal for adequate fire protection as defined by the adopted Arkansas Fire Prevention Code. Where inadequate fire protection is identified, improvements may be required prior to issuance of a business license.

(17) *Suspension and Revocation.* If the Development Services Director has reason to believe that any of the grounds specified in §118.03(A) of the Fayetteville Code exist, or that any rental unit was rented for less than one (1) full night, or to more than one (1) part of guests for the same period of time, or otherwise failed to comply with all terms and conditions of this section, the Development Services Director may suspend or revoke the short-term rental's business license pursuant to the procedures detailed in §118.03 and in §118.04 of the Fayetteville Code.

(18) Short-term rentals must comply with the Unified Development Code including the regulations contained in §163.18 and §164.26 and must successfully obtain a business license prior to operation.

### 163.18 Type 2 Short-Term Rentals in Residential Zoning Districts

(A) *Residential Zoning Districts.* Type 2 short-term rentals may be permitted as a conditional use in the following residential zoning districts:

- 1) R-A
- 2) RSF-.5
- 3) RSF-1
- 4) RSF-2
- 5) RSF-4
- 6) RSF-7
- 7) RSF-8
- 8) RSF-18
- 9) RI-12
- 10) RI-U
- 11) RMF-6
- 12) RMF-12
- 13) RMF-18
- 14) RMF-24
- 15) RMF-40
- 16) NC

Short-term rentals may be permitted by right or by conditional use in planned zoning districts subject to the zoning regulations enacted by the City Council for each district.

Short-term rentals in non-residential zoning districts, mixed use zoning districts, or other zoning districts not listed above are not required to apply for a conditional use permit.

- (B) *Occupancy.* Maximum of two (2) people per bedroom, plus two (2), for the entire unit when operated as a short-term rental.
- (C) *Parking.* Parking is limited to the maximum number of vehicles as allowed by the underlying zoning district for the residential building on the property.
- (D) Special events are not permitted in a short-term rental. Example of special events include, but are not limited to, weddings, receptions, anniversaries, private parties, fundraisers and business seminars.
- (E) Short-term rental units are allowed in any structure established as a permanent residential dwelling including an accessory dwelling unit. No recreational vehicle, trailer, other vehicle or structure not classified as a permanent residential dwelling may be used as a short-term rental.
- (F) *Exceptions.* Exceptions to the short-term rental standards, except proposals that would exceed the city-wide density maximum, may be granted by the Planning Commission as a conditional use permit.
- (G) Short-term rentals must comply with all applicable codes under City Code §118.01 and successfully obtain a business license prior to operation.
- (H) Short-term rentals in residential zoning districts may be subject to denial or additional conditions based upon the Planning Commission's findings on the following factors:
- 1) Adequate parking infrastructure;
  - 2) Adequate adjoining or nearby streets for on-street parking;
  - 3) Frequency or concentration of nearby licensed Type 2 short-term rentals; and
  - 4) Prior zoning or code violations

**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-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 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
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(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.

(Ord. No. 6945, §5(Exh. D), 12-16-25)

Audrey Morris  
Modern Frontier Properties, LLC  
517 Liberty Lane  
Edmond, OK 73034  
479.222.1969  
[manager@modernfrontierproperties.com](mailto:manager@modernfrontierproperties.com)

March 23, 2026

To whom it may concern:

I appreciate your time reviewing my application for a short-term rental permit for the property in question, located at 1139 N Sunset Dr 2, Fayetteville AR 72701. Please see the below details as requested.

**(a) Building size in square feet; existing and proposed**

The approximate square footage of Unit 2 is 500 square feet.

**(b) Color elevations of all exterior sides of the structure**

The structure's siding is painted a medium grey. The trim is white, and the front door for the unit is black.

**(c) Number of off-street parking spaces to be provided / number required**

As this is a one-bedroom space and only accommodates two guests, most guests will only have one vehicle. There are four off-street parking spaces on this property, and one space will be available for use by guests of 1139 N Sunset 2.

**(d) Outdoor lighting**

There is exterior lighting at the front door of this unit. The exterior security camera at the corner provides additional light when motion is detected.

**(e) Noise**

This is a small unit with one bedroom and one bathroom that will only accommodate two people. My property will not allow parties or any sort of commercial event, and would be unlikely to attract guests who plan to host a gathering or cause a disturbance through a party etc. given the small size of the space.

**(f) Screening or buffering from adjacent properties**

This unit has a dedicated patio and yard that is completely surrounded by privacy fencing. Both potential guests and occupants of surrounding properties will have privacy given this setup.

**(g) Trash and refuse service (with particular reference to visibility from the street and adjacent properties)**

This space has a dedicated trash can for use by potential guests. It can be placed near the street at the end of the driveway just like any other trash can for surrounding properties. The trash bin can be stored behind the gate of the patio if desired to minimize visibility from the street during the rest of the week.

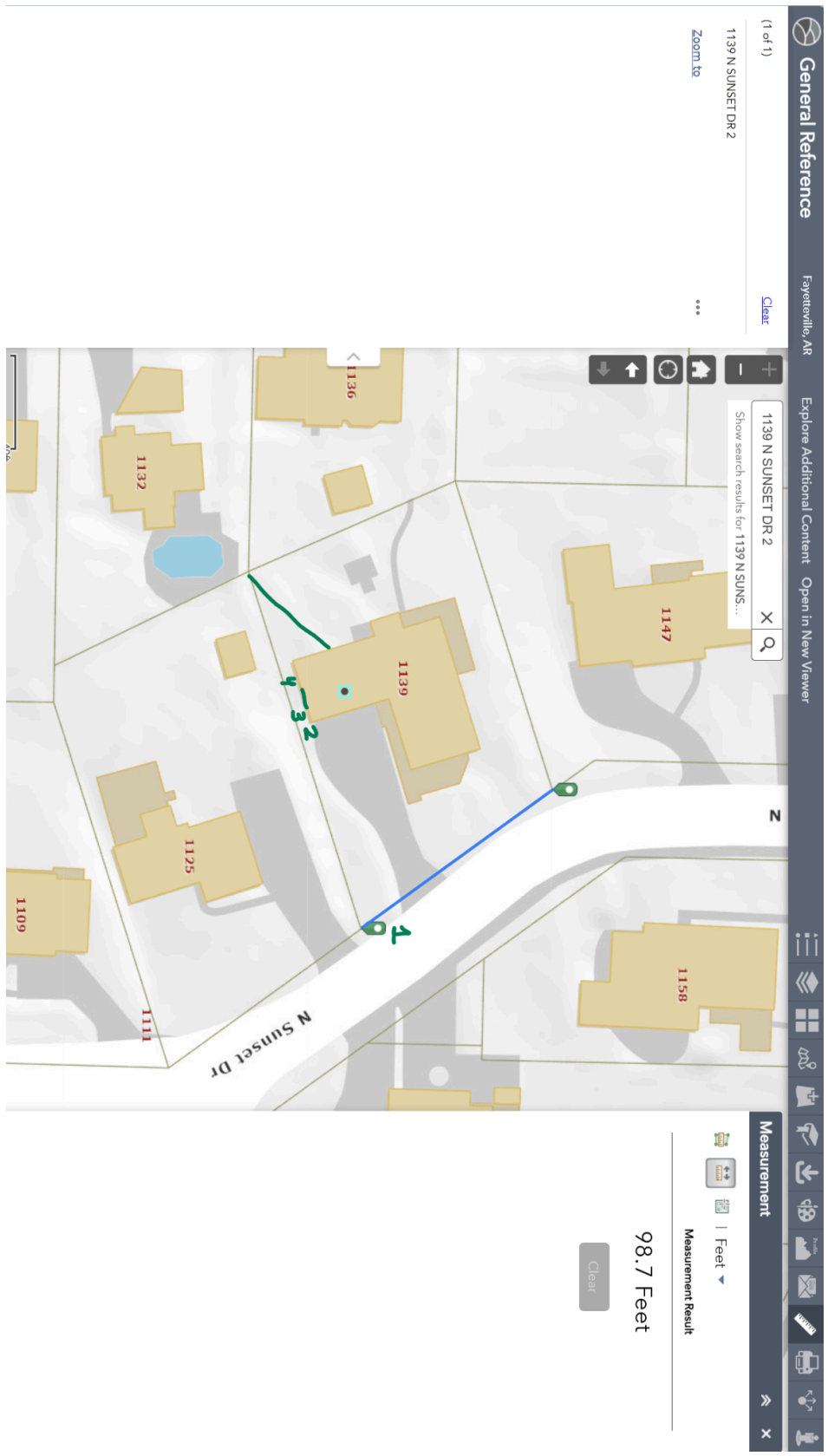
**(h) Ingress and egress to the property; traffic impacts**

The unit has a private entrance. The overall house/building is located on Sunset Drive in a residential area. No impacts on traffic are anticipated.

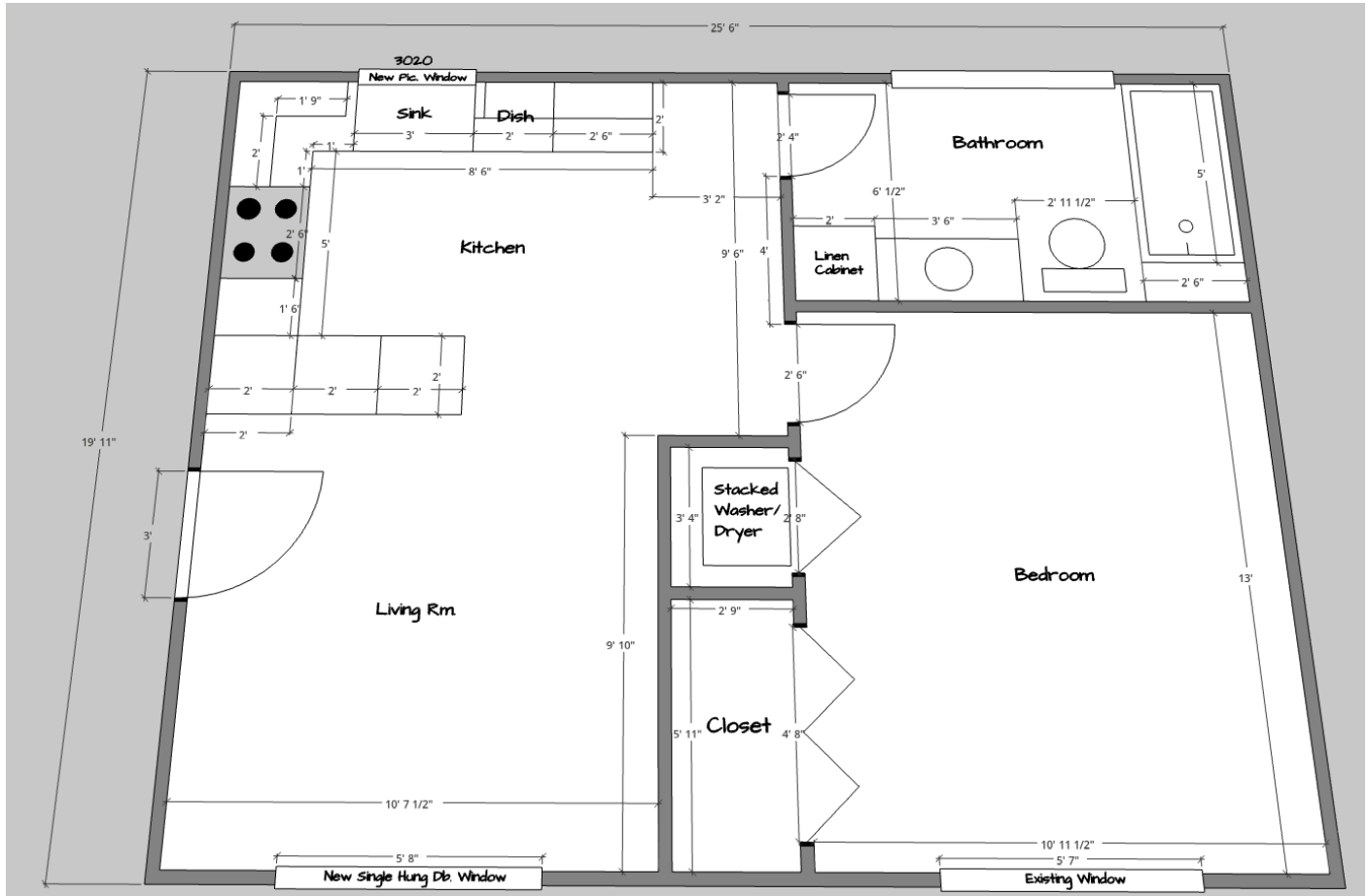
**(i) A response discussing the general compatibility of the proposed use with adjacent properties and other property in the neighborhood.**

The neighborhood is close to the University of Arkansas campus and houses both families and college students who are renting space close to the university. Given the small size of my unit and proximity to campus, I would anticipate many potential guests might be parents or siblings of college students who are visiting their family during the school year. I believe the proposed use will be compatible with the area.

1. Parking - There is approximately 98 feet of street frontage for this property. Without blocking driveway access, three cars could park on the street within property boundaries.
2. Access to ADU - the ADU has its own private entrance, gated patio and yard placed on the south side of the house. You enter the gate where the number '2' is on the GIS map below.
3. Trash storage - the trash bin is stored behind the gate on the private patio.
4. The private entrance is located on the side. I have also drawn a line in the yard indicating where the fence line is that separates the backyard for the ADU from the yard for the main house.



# Sunset ADU Floorplan



This is an attached ADU, so there are only three detached sides, pictured here.





Reviewed by:  
Donna Wonsower, AICP  
Senior Planner  
Development Services

**APPROVED**

Planning Commission

May 11, 2026

CUP-2026-0021 (MORRIS)

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**TO:** Fayetteville Planning Commission

**THRU:** Jessie Masters, Planning Director

**FROM:** Citlali Samano, Planner

**MEETING DATE:** May 11, 2026

**SUBJECT:** **RZN-2026-0012: Rezoning (2245 W DEANE ST/ ALEXIS MONTEALEGRE TRUST, 364):** Submitted by ALEX MONTEALEGRE for property located at 2245 W DEANE ST. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.70 acres. The request is to rezone the property to RI-U, RESIDENTIAL INTERMEDIATE – URBAN.

**RECOMMENDATION:**

Staff recommends forwarding **RZN-2026-0012** to City Council with a recommendation of approval.

**RECOMMENDED MOTION:**

*“I move to forward **RZN-2026-0012** to City Council with a recommendation of approval.”*

**BACKGROUND:**

The subject property is in west Fayetteville and is directly south from Fire Station 8 at 2266 W Deane St. The property contains one parcel totaling 0.70 acres which is currently zoned RSF-4, Residential Single-Family, Four Units per Acre and contains a two-family dwelling constructed in 1947 per Washington County Assessor records but is not individually eligible for the National Register of Historic Places. The property is not subject to any overlay districts. Surrounding land uses and zoning are depicted in *Table 1*.

**Table 1:  
Surrounding Land Uses and Zoning**

<b>Direction</b>	<b>Land Use</b>	<b>Zoning</b>
North	Fire Station & Police Department	P-1, Institutional
South	Multi-Family Residential	RMF-6, Residential Multi-Family, Six Units Per Acre
East	Multi-Family Residential	RMF-6, Residential Multi-Family, Six Units Per Acre
West	Multi-Family Residential	RMF-12, Residential Multi-Family, Twelve Units Per Acre

*Request:* The request is to rezone the subject property from RSF-4, Residential Single-Family, Four Units per Acre to RI-U, Residential Intermediate - Urban. The applicant has indicated an intent to develop infill housing towards the south end of the parcel.

*Public Comment:* Staff has no public comment at this time.

## INFRASTRUCTURE AND ENVIRONMENTAL REVIEW:

**Streets:** The subject property has frontage along West Deane Street. West Deane Street is a fully improved Neighborhood Link Street with asphalt paving, sidewalk and curb & gutter. Any street improvements required in these areas would be determined at the time of development proposal. Any additional improvements or requirements for drainage will be determined at time of development.

**Water:** Public water is available to the subject property. There is an existing 2-inch water main and an existing 12-inch main along West Deane Street.

**Sewer:** Sanitary Sewer is available to the subject property. There is an existing 6-inch sewer main along the south side of the subject property.

**Drainage:** There are no known wet weather sewer capacity issues identified in the City's 2025 Sewer Master Plan that appear in the system. No portions of the subject area lie within the Hillside-Hilltop Overlay District. No portion of the subject area lie within a FEMA floodplain. No protected streams are present in the subject area. No hydric soils are present in the subject area.

**Fire:** Station 8, located at 2266 W Deane St., protects this site. The property is located approximately 0 miles from the fire station with an anticipated drive time of approximately 1 minutes using existing streets. The anticipated response time would be approximately 3.2 minutes. Fire Department response time is calculated based on the drive time plus 1 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 6 minutes for an engine and 8 minutes for a ladder truck.

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

### **Tree Preservation:**

The current zoning district of zoned RSF-4, Residential Single-Family, Four Units per Acre, requires **25% minimum canopy preservation**. The proposed zoning district of zoned RI-U, Residential Intermediate - Urban, requires **15% minimum canopy preservation**.

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

**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, multifamily 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 non-residential 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 of 7 for this site with a weighted score of 10. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station #8, 2266 W Deane St)
- Near Sewer Main (6 in gravity line, south of subject property)
- Near Water Main (2 in and 12 in lines, W Deane St)
- Near Public School (Asbell Elementary School)
- Near City Park (Friendship Park and Lewis Soccer Complex)
- Near Paved Trail (Midtown Trail)
- Near Razorback Bus Stop (Deane & Evening Shade)

**Finding:** *Land Use Compatibility:* Staff finds that the requested rezoning is compatible with surrounding land uses and zoning patterns. The surrounding neighborhood to the east, south, and west consists of single-, two-, and four-family dwellings in close proximity to the site. While the current RSF-4 zoning does not utilize urban form setbacks, the surrounding multi-family districts (RMF-24, RI-U, and RMF-40) already exhibit an urban character. Because these neighboring districts have similar by-right allowances and standards, introducing RI-U would align with existing development patterns rather than introducing foreign requirements. RI-U requires smaller comparative bulk and area requirements, which is in keeping with the neighborhood character. The bulk and area requirements for RSF-4 are intended for different types of residential development, which require more space for that development than what would be required of RI-U. A significant difference between the two are the density allowances with RI-U with no maximums and RSF-4 with 4 units per acre along with by-right allowances of additional housing. This can be a concern because of the potential increase in development; however, RI-U would decrease in the scale of what could be developed compared to the impact of RSF-4. Given that the proposed zoning district would not result in significant impact to neighboring properties due to its similar requirements and allowances, staff is in support of this rezoning request.

*Land Use Plan Analysis:* The proposed zoning is consistent with City Plan 2040 Future Land Use Map designation as a Residential Neighborhood Area, which is primarily residential in nature and supports a wide variety of housing types of appropriate scale and context. The RI-U zoning district would support this designation as it would allow for more residential opportunities. The property has a moderate infill score of 7, which indicates that it is a suitable location for infill because of the local infrastructure and development. The property is located within a Tier 3 city node located 2,500 feet to the northwest at the W. Mount Comfort Road and N. Shiloh Drive intersection across Highway 71. The proposed rezoning would allow a slight increase in development within an area while adhering to City Goals #1 (appropriate infill), #3 (compact development), and #6 (attainable housing opportunities). Staff finds that a rezoning to RI-U would allow for development opportunities that would be in character with surrounding residential properties.

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 subject property from RSF-4 to RI-U. Staff finds that the proposed rezoning is compatible with surrounding properties and consistent with the City's future land use plans.

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

**Finding:** A rezoning from RSF-4 to RI-U may slightly increase local traffic, though the property's narrow width naturally limits overall density. Because of fire access requirements, any potential infill housing would likely be concentrated on the south end of the lot, with primary access to N. Willowbrook Drive rather than W. Deane Street.

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 has the potential to slightly alter the population density since it would allow for additional residential development. However, the property currently has access to public streets, water, and sewers, and any necessary improvements would be determined at the time of development. 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-2026-0012 to City Council with a recommendation of approval.**

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<b>PLANNING COMMISSION ACTION:</b> Required <u>YES</u>
Date: <u>May 11, 2026</u> <input type="checkbox"/> Tabled <input type="checkbox"/> Forwarded <input type="checkbox"/> Denied
Motion:
Second:
Vote:

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**BUDGET/STAFF IMPACT:**

None

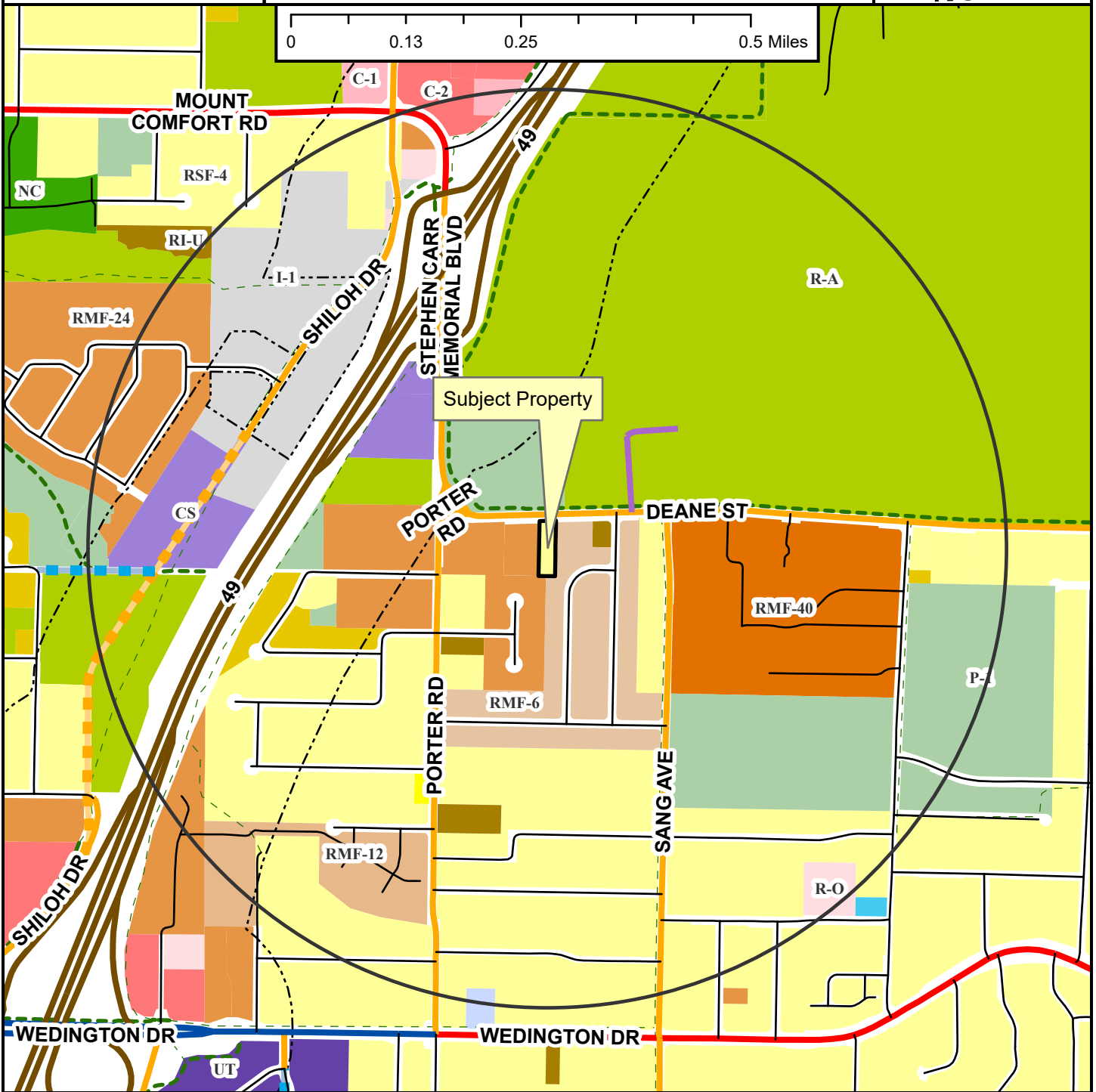
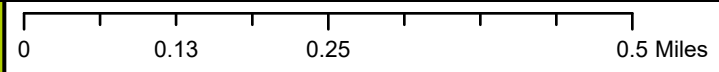
**ATTACHMENTS:**

- Project Maps
    - One Mile Map
    - Close-Up Map
    - Current Land Use Map
    - Future Land Use Map
  - Unified Development Code
    - §161.07 District RSF-4, Residential Single-Family, Four Units per Acre
    - §161.12 District RI-U, Residential Intermediate - Urban
  - Staff Exhibits
    - Long-Range Planning Memo
  - Applicant Exhibits
    - Request Letter
-

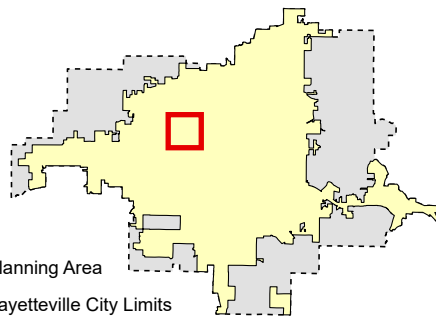
RZN-2026-0012

# 2245 W DEANE ST

One Mile View



- Regional Link
- Neighborhood Link
- Institutional Master Plan
- Regional Link - High Activity
- Freeway/Expressway
- Unclassified
- Alley
- Residential Link
- Planned Neighborhood Link
- Planned Residential Link
- Shared-Use Paved Trail
- - - Trail (Proposed)
- Design Overlay District
- Fayetteville City Limits
- Planning Area



Planning Commission

May 11, 2026

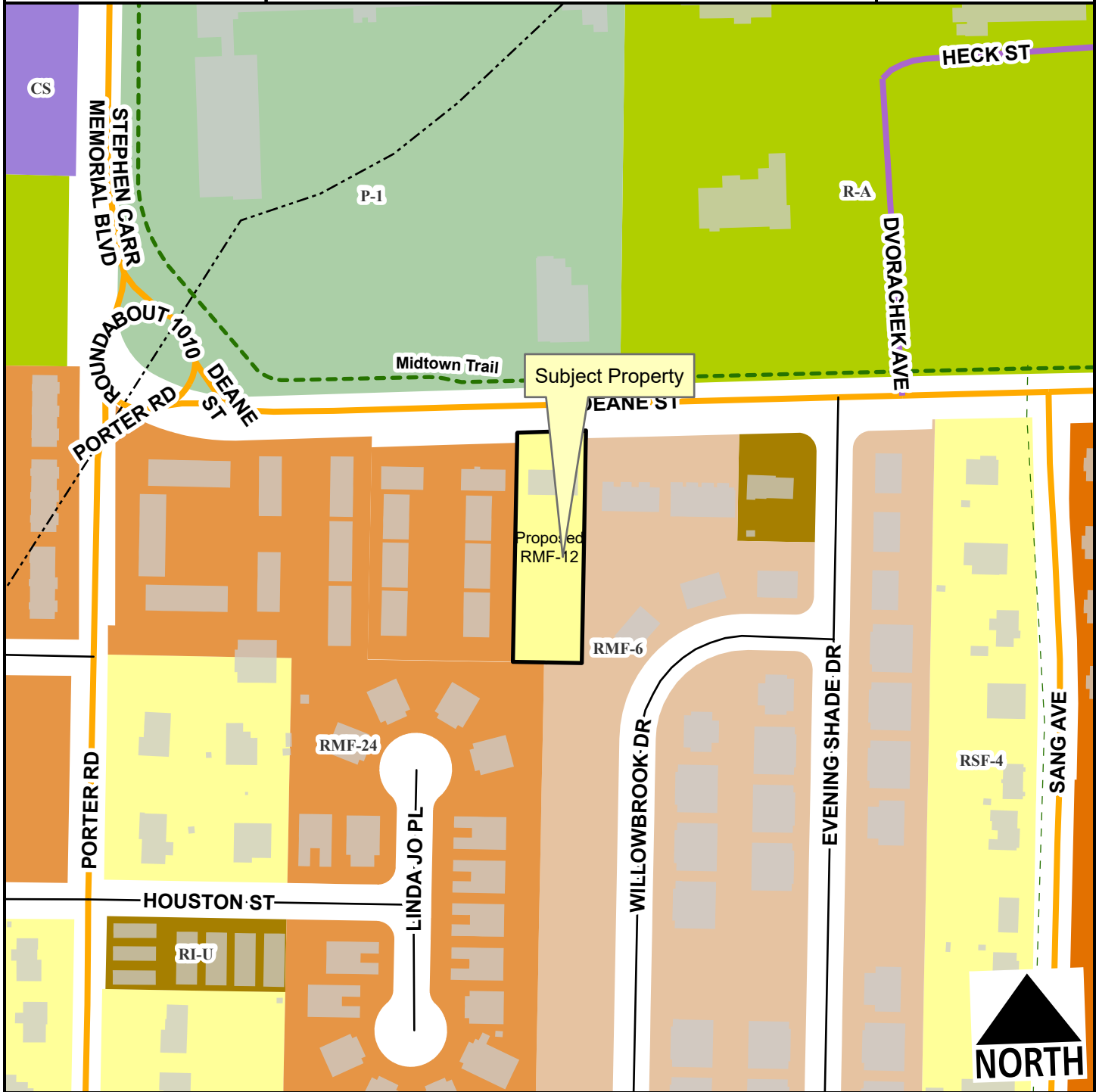
RZN-2026-0012 (ALEXIS MONTEALEGRE TRUST)

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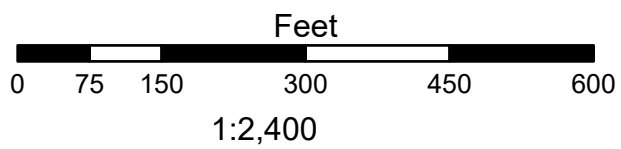
RZN-2026-0012

# 2245 W DEANE ST

Close Up View



- Neighborhood Link
- Institutional Master Plan
- Residential Link
- Trail (Proposed)
- Design Overlay District
- Planning Area
- Fayetteville City Limits



Zone	Current	Proposed
RMF-12	0.0	0.7
RMF-24	0.0	0.0
RSF-4	0.7	0.0

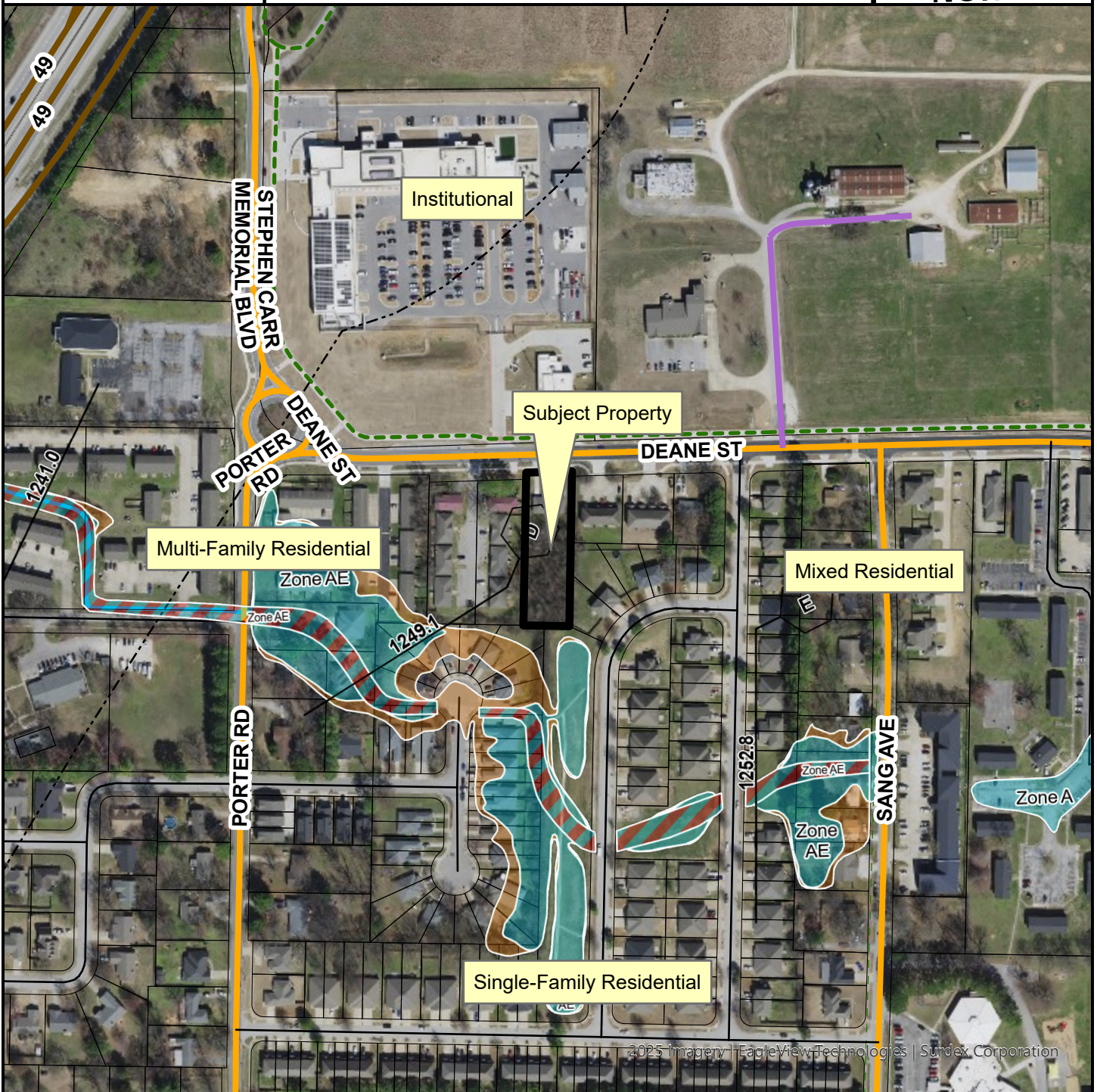
Total 0.7 ac

RZN-2026-0012

# 2245 W DEANE ST



Current Land Use

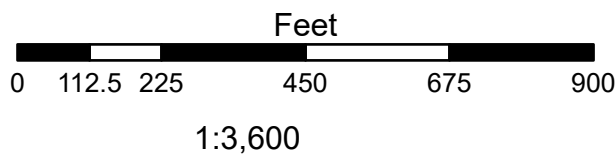


2025 Imagery | EagleView Technologies | Surdex Corporation

- Neighborhood Link
- Institutional Master Plan
- Freeway/Expressway
- Unclassified
- Residential Link
- Trail (Proposed)
- Planning Area
- Fayetteville City Limits
- Design Overlay District

### FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway



Planning Commission

May 11, 2026

RZN-2026-0012 (ALEXIS MONTEALEGRE TRUST)

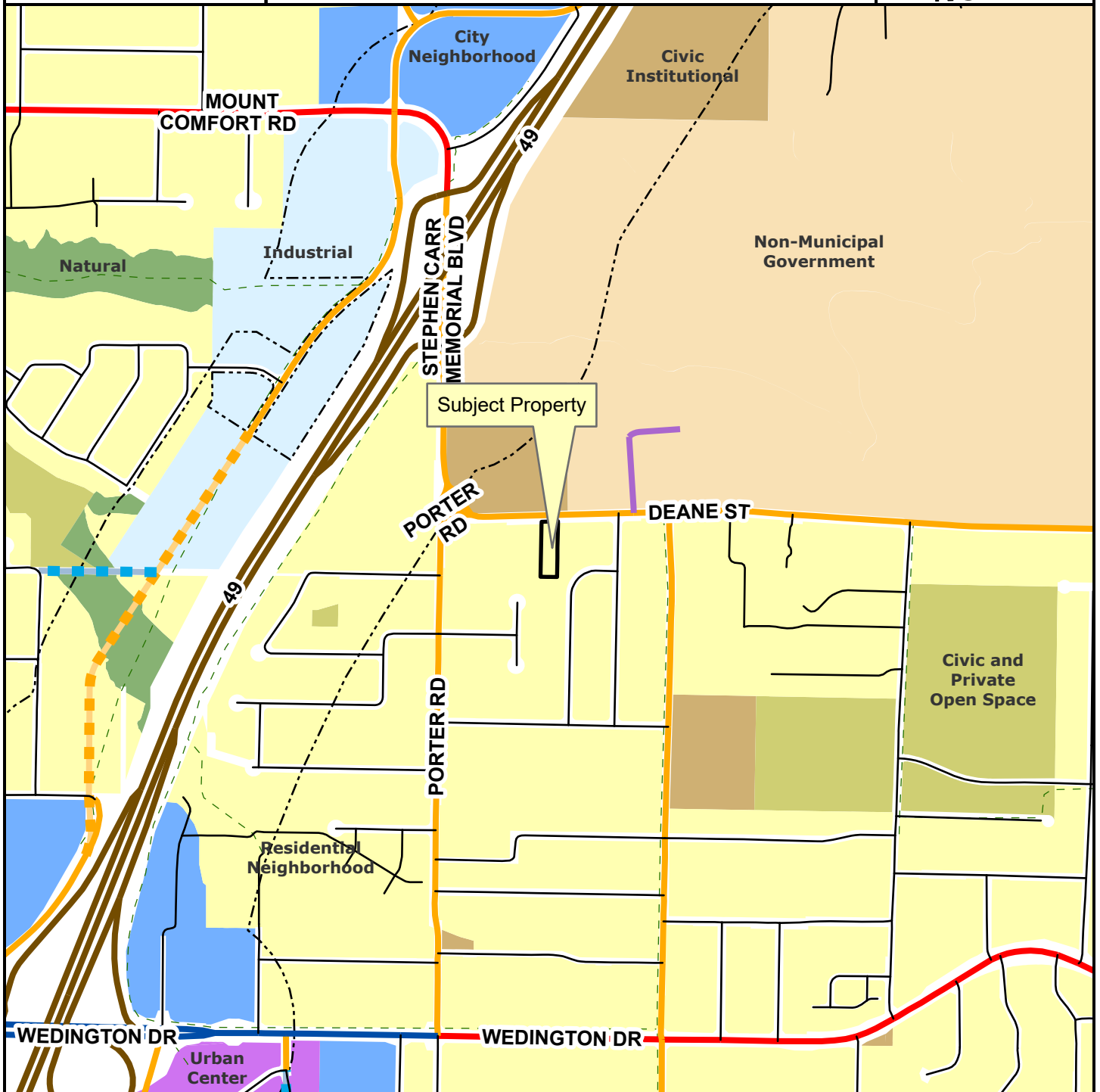
Page 9 of 16

RZN-2026-0012

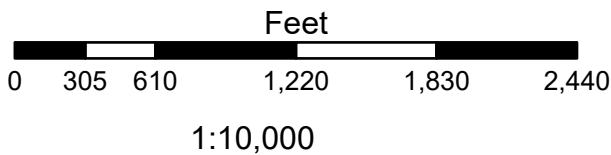
# 2245 W DEANE ST



Future Land Use



- Regional Link
- Neighborhood Link
- Institutional Master Plan
- Regional Link - High Activity
- Freeway/Expressway
- Unclassified
- Alley
- Residential Link
- Planned Neighborhood Link
- Planned Residential Link
- Planning Area
- Fayetteville City Limits
- - - Trail (Proposed)
- Design Overlay District



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

Planning Commission

May 11, 2026

RZN-2026-0012 (ALEXIS MONTEALEGRE TRUST)

Page 10 of 16

**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
Units per acre	4 or less

(D) *Bulk and Area Regulations.*

	Single-family dwellings	Two-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
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(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.

(Ord. No. [6945](#), §5(Exh. D), 12-16-25)

**161.12 - District RI-U, Residential Intermediate — Urban**

(A) *Purpose.* The RI-U Residential District is designed to permit and encourage the development of detached and attached dwellings in suitable environments, to provide a range of housing types compatible in scale with single-family homes and to encourage a diversity of housing types to meet demand for walkable urban living.

(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- and four-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 12a	Limited business
Unit 24	Home occupations
Unit 26	Multi-family dwellings
Unit 36	Wireless communications facilities
Unit 48	Private dormitories

(C) *Density.* None.

(D) *Bulk and Area Regulations.*

Lot width minimum	18 feet
Lot area minimum	None

(E) *Setback Requirements.*

Front	Side Other Uses	Side Single & Two-family	Rear Other Uses	Rear, from centerline of an alley
A build-to zone that is located between the front	None	5 feet	5 feet	12 feet

property, line and a line 25 feet from the front property line.				
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(F) *Building Height Regulations.*

Building height maximum	2 stories/3 stories*
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\* 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. Buildings or portions of the building setback greater than 10 feet from the master street plan right-of-way shall have a maximum height of three (3) stories.

(G) *Building Area.* The area occupied by all buildings shall not exceed 60% 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.

(Ord. No. [6945](#), §5(Exh. D), 12-16-25)



**TO:** Citlali Samano, Planner

**FROM:** Kylee Cole, Long Range & Preservation Planner

**MEETING DATE:** May 11, 2026

**SUBJECT:** Long Range Planning Comments Regarding RZN-2026-0012

**BACKGROUND:**

The applicant requests to rezone approximately 0.69 acres from RSF-4, Residential Single-Family, Four Units Per Acre to RMF-12, Residential Multi-Family, Twelve Units Per Acre. Two long range planning documents are relevant when evaluating this request: *City Plan 2040* and the *Heritage & Historic Preservation Plan*.

**City Plan 2040 (2020):**

*City Plan 2040* includes several relevant plan goals and objectives:

- Goal 1 – We will make appropriate infill and revitalization our highest priority.
- Goal 2 – We will discourage suburban sprawl.
- Goal 3 – We will make compact, complete, and connected development the standard.
- Goal 6 – We will create opportunities for attainable housing.
  - 3.6.1 - Increase housing choices by encouraging a mixture of housing types and sizes dispersed throughout the city and in proximity to transit and active transportation networks. (p.45)

On its adoption in early 2020, *City Plan 2040* carried forward goals from prior comprehensive plans and organized them into six primary goals. The goals were meant to focus the City’s efforts on appropriate infill that furthers a variety of transportation options, supports the creation of attainable housing, and limits the amount of land consumed by development on the City’s periphery, often termed “suburban sprawl”.

**Heritage & Historic Preservation Plan (2023):**

The City’s *Heritage & Historic Preservation Plan* was initiated by City Plan 2040.

***Heritage and Historic Preservation Master Plan Relevant Goals and Action Items***

1.9	Plan Review	Include historic preservation staff in review of proposed major projects and zoning changes to determine impacts to historic resources.
1.10	Demolition Ordinance	Pass an ordinance to allow for the review of proposed demolitions for resources forty-five years or older. Staff to evaluate each property for significance. Work with property owner to discourage demolition. Reviews should be taken up by HDC as needed.
4.9	Community Engagement: Transparency	Publish information about historic preservation reviews and demolitions of historic properties to increase transparency.

**DISCUSSION:**

*Zoning History:*

Ordinance 1747 approved on June 29, 1970 enacted a new zoning map and set of districts and zoning requirements for the city. This map shows the subject property as being zoned into the low-density “R-1” zoning district, which was subsequently translated to “RSF-4” with the adoption of the city’s Unified Development Code.

*City Plan 2040 and Future Land Use Plan:*

This area is designated as a Residential Neighborhood area, which are “primarily residential in nature and support a wide variety of housing types of appropriate scale and context.” This land use designation also encourages the incorporation of low-intensity non-residential uses intended to serve the surrounding neighborhood, such as retail or offices.<sup>1</sup> The request aligns with this designation by diversifying the housing types permitted beyond single-family and slightly increasing the density of housing units. The request aligns with goals 1, 2, and 6 of City Plan 2040 by creating opportunities for denser development in an area that is already served by infrastructure.

*Property History:*

The subject property contains a two-family dwelling constructed ca. 1947, according to Washington County Tax Assessor records. The property has not yet been captured by the citywide historic property survey, and is not individually eligible for inclusion on the National Register of Historic Places.



Since rezoning requests often precede redevelopment plans, the property owner and/or applicant should consult with Long Range & Preservation Planner prior to demolition or alteration of historic-age structures to capture photo documentation. Documentation of historic resources is an effective way to mitigate against the loss of historic structures when regulatory tools are not available.

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<sup>1</sup> City Plan 2040, 128.

**Alexis Montealegre**  
**5430 E. Beverly Blvd., #250**  
**Los Angeles, CA 90022**

March 23, 2026

City of Fayetteville

Developmental Services Dept.

**Re: 2245 W. Deane Street**

I am the owner of 2245 W. Deane Street, Fayetteville, AR 72703. This letter is an authorization to apply to rezone my property from from RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRES to RI-U (RESIDENTIAL INTERMEDIATE-URBAN).

Please let me know if you have any questions or need anything else.



Alexis Montealegre.



**TO:** Fayetteville Planning Commission

**THRU:** Jessie Masters, Planning Director

**FROM:** Citlali Samano, Planner

**MEETING DATE:** May 11, 2026

**SUBJECT:** **RZN-2026-0013: Rezoning (1429 & 1431 W DEANE ST/JOANNA ELISABETH HESS & MYLISSA GRABER, 365)** Submitted by RMP LLP for property located at 1429 & 1431 W DEANE ST. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE and contains approximately 0.40 acres. The request is to rezone the property to RI-U, RESIDENTIAL INTERMEDIATE – URBAN.

**RECOMMENDATION:**

Staff recommends forwarding **RZN-2026-0013** to City Council with a recommendation of approval.

**RECOMMENDED MOTION:**

*“I move to forward **RZN-2026-0013** to City Council with a recommendation of approval.”*

**BACKGROUND:**

The subject property is in west Fayetteville and is approximately 215 feet northeast of the Lewis Soccer Complex. The property contains two parcels totaling 0.40 acres which is currently zoned RSF-4, Residential Single-Family, Four Units per Acre and contains two single-family dwellings. One dwelling was constructed in 1925 and the other in 1949, per Washington County Assessor records, but is not individually eligible for the National Register of Historic Places. The property is not subject to any overlay districts. Surrounding land uses and zoning are depicted in *Table 1*.

**Table 1:  
Surrounding Land Uses and Zoning**

Direction	Land Use	Zoning
North	U of A Agricultural Farm	R-A, Residential Agricultural
South	Single-Family Residential	RSF-4, Residential Single-Family, Four Units Per Acre
East	Single-Family Residential	RSF-4, Residential Single-Family, Four Units Per Acre
West	Single-Family Residential	RSF-4, Residential Single-Family, Four Units Per Acre

*Request:* The request is to rezone the subject property from RSF-4, Residential Single-Family, Four Units per Acre to RI-U, Residential Intermediate - Urban.

*Public Comment:* Staff has one public comment in denial of rezoning, citing neighborhood character concerns and infill development in this area.

## INFRASTRUCTURE AND ENVIRONMENTAL REVIEW:

**Streets:** The subject property has frontage along West Deane Street. West Deane Street is a fully improved Neighborhood Link Street with asphalt paving, sidewalk and curb & gutter. Any street improvements required in these areas would be determined at the time of development proposal. Any additional improvements or requirements for drainage will be determined at time of development.

**Water:** Public water is available to the subject property. There is an existing 8-inch water main and an existing 24-inch main along West Deane Street.

**Sewer:** Sanitary Sewer is available to the subject property. There is an existing 6-inch sewer main along the south side of the subject property.

**Drainage:** There are known wet weather sewer capacity issues identified in the City's 2025 Sewer Master Plan that appear in the system 186 feet southeast of the property. No portions of the subject area lie within the Hillside-Hilltop Overlay District. No portion of the subject area lie within a FEMA floodplain. No protected streams are present in the subject area. There are hydric soils present in the subject area. Though hydric soils are a known indicator of wetlands, for an area area to be classified as wetlands, it may also need other characteristics such as hydrophytes (plants that grow in water), and shallow water during parts of the year. Hydric Soils can be found across many areas of Fayetteville, including valleys, floodplains, and open prairies. It's important to identify these natural resources during development, so when these soils are identified on a property, further environmental studies will be required at the time of development. Before permits will be issued for the property a statement/report from an environmental professional must be provided summarizing the existence of wetlands on the property. If this statement/report indicates that wetlands may be present on site, a USACE Determination of Jurisdictional Wetlands will be required at the time of development submittal.

**Fire:** Station 8, located at 2266 W Deane St., protects this site. The property is located approximately 0.6 miles from the fire station with an anticipated drive time of approximately 1 minutes using existing streets. The anticipated response time would be approximately 3.2 minutes. Fire Department response time is calculated based on the drive time plus 1 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 6 minutes for an engine and 8 minutes for a ladder truck.

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

### **Tree Preservation:**

The current zoning district of zoned RSF-4, Residential Single-Family, Four Units per Acre, requires **25% minimum canopy preservation**. The proposed zoning district of zoned RI-U, Residential Intermediate - Urban, requires **15% minimum canopy preservation**.

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

**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, multifamily 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 non-residential 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 of 7 for this site with a weighted score of 11. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station #8, 2266 W Deane St)
- Near Sewer Main (6 in gravity line, south of subject property)
- Near Water Main (8 in and 24 in lines, W Deane St)
- Near Public School (Asbell Elementary School)
- Near City Park (Lewis Soccer Complex)
- Near Paved Trail (Midtown Trail)
- Near Razorback Bus Stop (Washington Plaza & Garland & Sycamore)

**Finding:** *Land Use Compatibility:* Staff finds that the requested rezoning is compatible with surrounding land uses and zoning patterns. While the subject property is currently zoned RSF-4 and is immediately surrounded by single-family properties, the broader neighborhood context includes two-family dwellings and infill housing. Current zoning allows for two-family dwellings and minimal commercial uses conditionally; however, RI-U would also conditionally allow for multi-family dwellings and private dormitories, in addition to minimal commercial uses. Notably, multiple properties zoned RI-U are situated within a quarter-mile radius. Introducing RI-U to this site would align with these existing development patterns rather than introducing foreign requirements. While RSF-4 typically requires larger setbacks, RI-U utilizes smaller bulk and area requirements that better reflect the urban fabric already established by the nearby RI-U parcels. Although RI-U does not carry a maximum density, the total size of the subject area, comprising 0.4 acres (0.2 acres per lot), inherently limits the scale of potential development. The application of urban form setbacks on a site of this size ensures that new construction remains contextual. Staff finds the rezoning will not result in a significant adverse impact, as it bridges the gap between the immediate single-family lots and the existing higher-density residential allowances in the vicinity.

*Land Use Plan Analysis:* The proposed zoning is consistent with the City Plan 2040 Future Land Use Map designation as a Residential Neighborhood Area, which supports a wide variety of housing types at an appropriate scale. The RI-U district supports this designation by expanding residential opportunities on a site with a moderate infill score of 7. The presence of other RI-U zoning in the vicinity reinforces that this request supports City Goals

**#1 (appropriate infill), #3 (compact development), and #6 (attainable housing opportunities). Staff finds that RI-U will allow for development that respects the immediate residential context while successfully integrating with the diverse housing densities found within the quarter-mile radius.**

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 subject property from RSF-4 to RI-U. Staff finds that the proposed rezoning is compatible with surrounding properties and consistent with the City's future land use plans.**

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

**Finding: A rezoning from RSF-4 to RI-U may slightly increase local traffic, though the property's size naturally limits overall density.**

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 has the potential to slightly alter the population density since it would allow for additional residential development. However, the property currently has access to public streets, water, and sewers, and any necessary improvements would be determined at the time of development. 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-2026-0013 to City Council with a recommendation of approval.**

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<b>PLANNING COMMISSION ACTION:</b> Required <u>YES</u>
<b>Date:</b> <u>May 11, 2026</u> <input type="checkbox"/> Tabled <input type="checkbox"/> Forwarded <input type="checkbox"/> Denied
<b>Motion:</b>
<b>Second:</b>
<b>Vote:</b>

---

**BUDGET/STAFF IMPACT:**

None

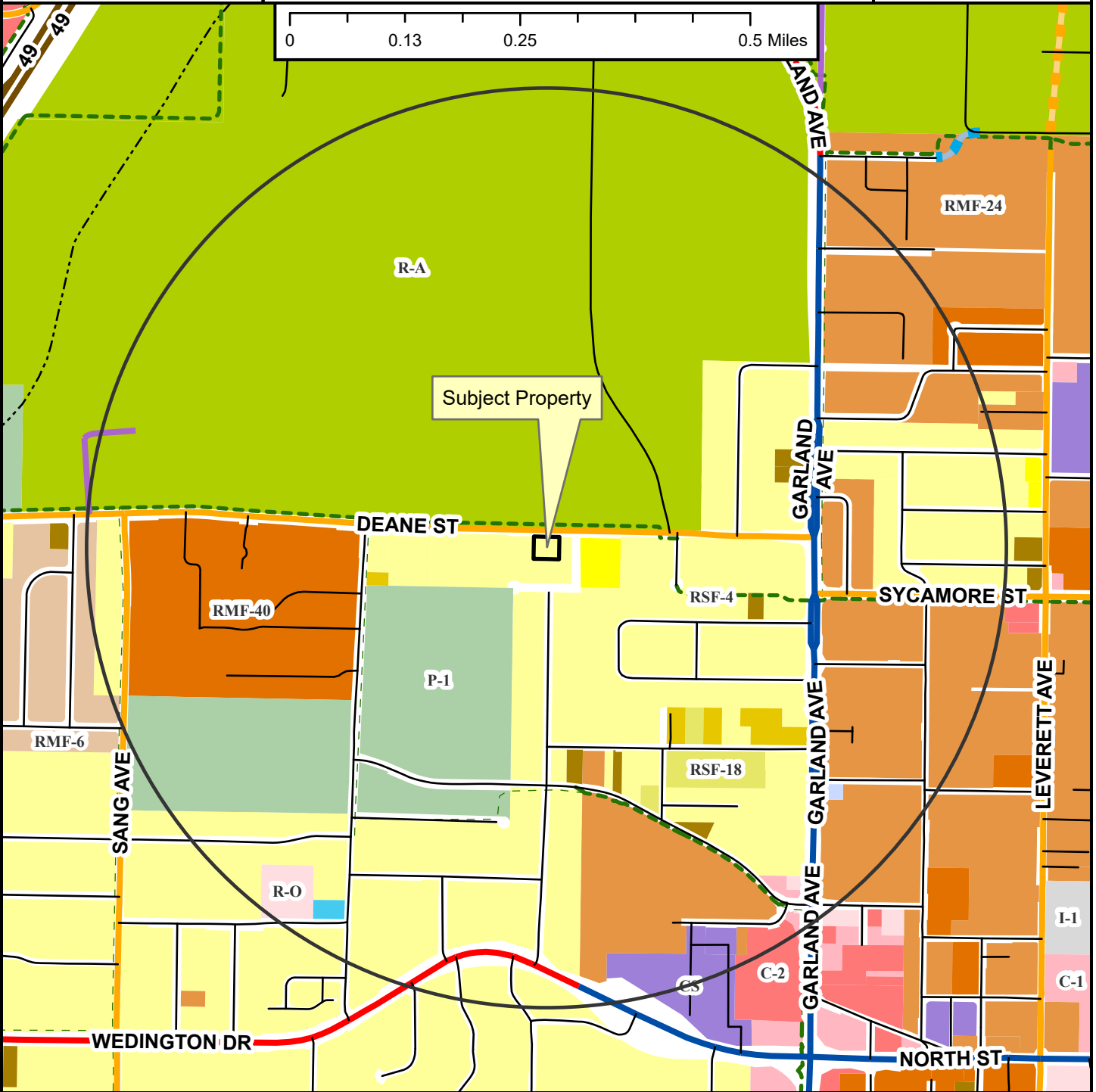
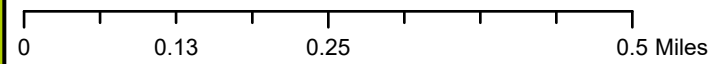
**ATTACHMENTS:**

- Project Maps
    - One Mile Map
    - Close-Up Map
    - Current Land Use Map
    - Future Land Use Map
  - Unified Development Code
    - §161.07 District RSF-4, Residential Single-Family, Four Units per Acre
    - §161.09 District RSF-8, Residential Single-Family, Eight Units per Acre
  - Staff Exhibits
    - Long-Range Planning Memo
  - Applicant Exhibits
    - Request Letter
  - Public Comments
-

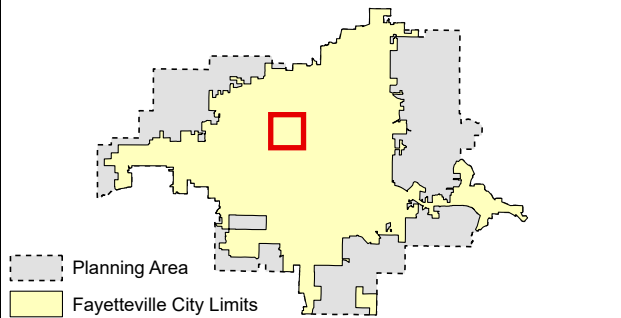
RZN-2026-0013

# 1429 W DEANE ST & 1431 W DEANE ST

One Mile View



- Regional Link
- Neighborhood Link
- Institutional Master Plan
- Regional Link - High Activity
- Freeway/Expressway
- Unclassified
- Alley
- Residential Link
- Planned Neighborhood Link
- Planned Residential Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Design Overlay District
- Fayetteville City Limits
- Planning Area

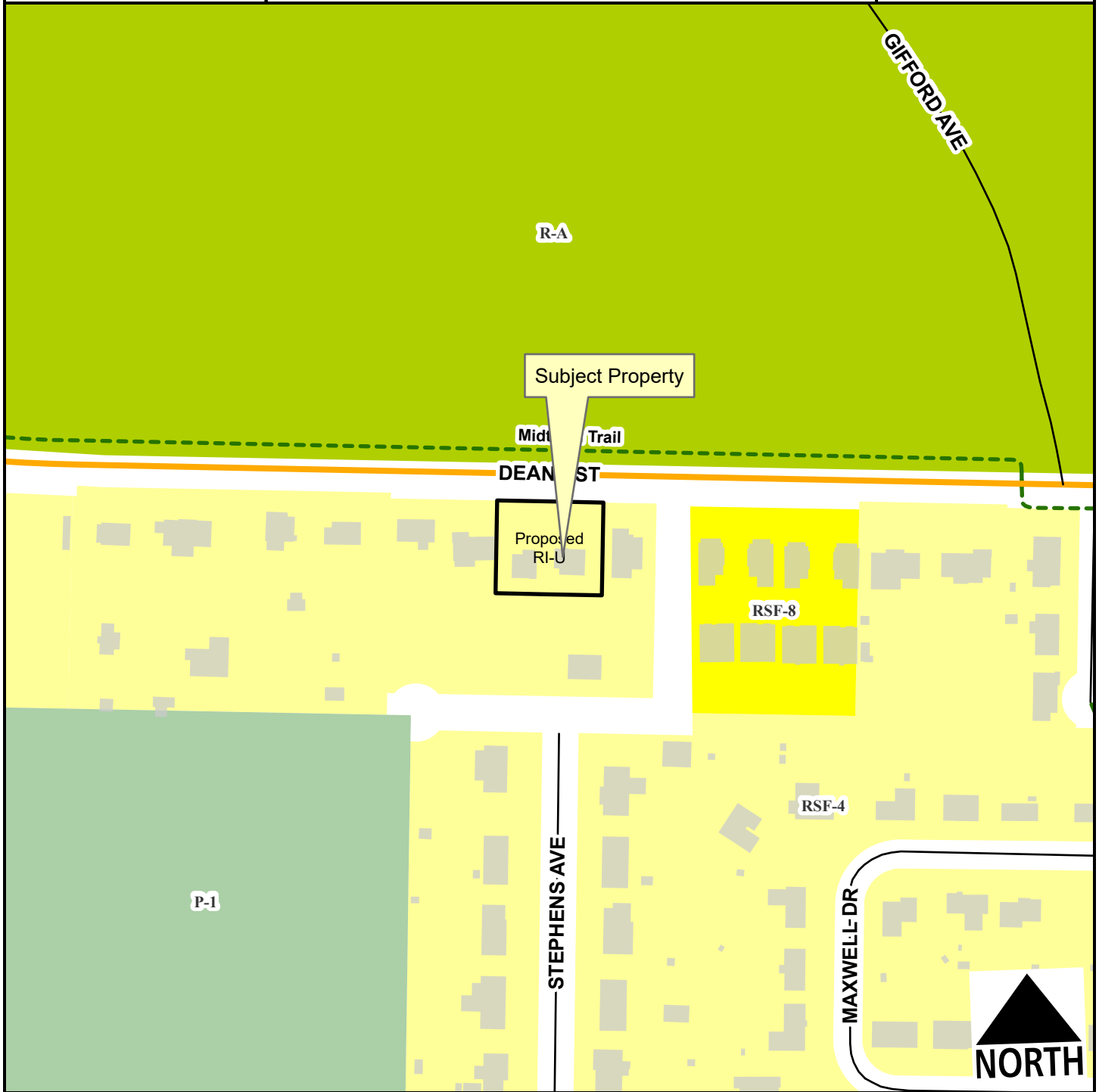




Planning Commission  
May 11, 2026

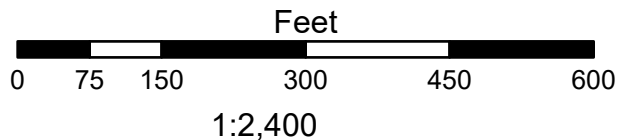
RZN-2026-0013

# 1429 W DEANE ST & 1431 W DEANE ST

Close Up View



-  Neighborhood Link
-  Unclassified
-  Residential Link
-  Planning Area
-  Fayetteville City Limits



<u>Zone</u>	<u>Current</u>	<u>Proposed</u>
RI-U	0.0	0.4
RSF-4	0.4	0.0
<b>Total</b>		<b>0.4 ac</b>

RZN-2026-0013







# 1429 W DEANE ST & 1431 W DEANE ST

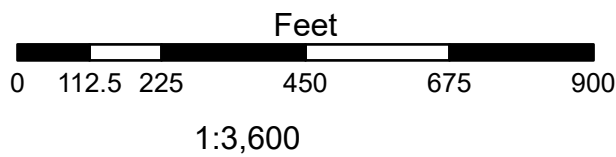


Current Land Use





2025 Imagery | EagleView Technologies | Surdex Corporation

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



### FEMA Flood Hazard Data

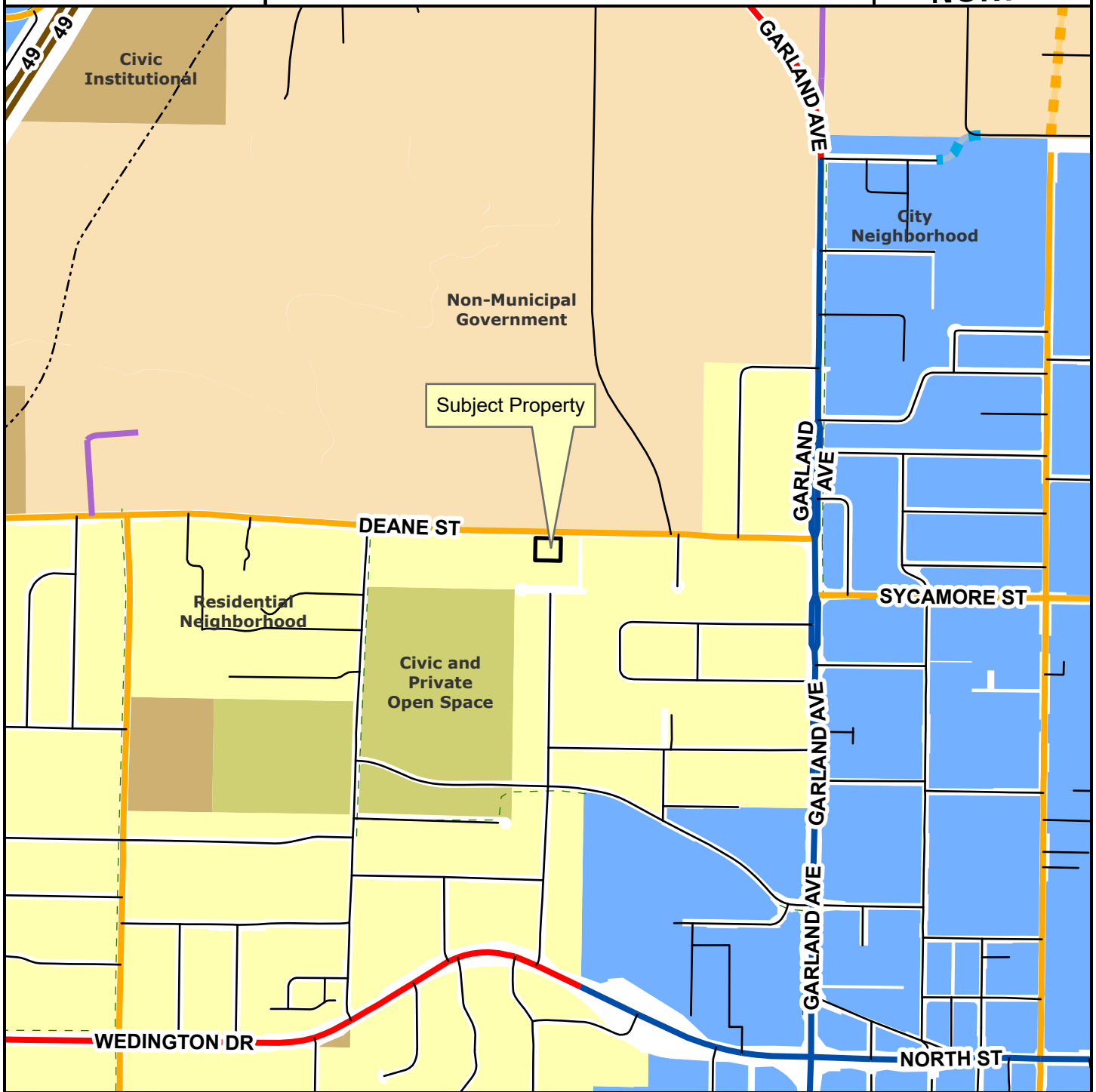
-  100-Year Floodplain
-  Floodway

RZN-2026-0013

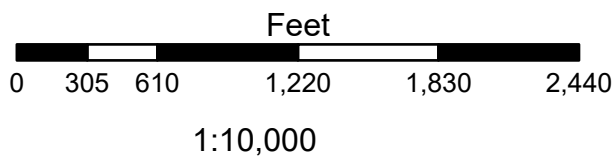
# 1429 W DEANE ST & 1431 W DEANE ST



Future Land Use



- Regional Link
- Neighborhood Link
- Institutional Master Plan
- Regional Link - High Activity
- Freeway/Expressway
- Unclassified
- Alley
- Residential Link
- Planned Neighborhood Link
- Planned Residential Link
- Planning Area
- Fayetteville City Limits
- Trail (Proposed)
- Design Overlay District



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

Planning Commission

May 11, 2026

RZN-2026-0013 (JOANNA ELISABETH HESS & MYLISSA GRABER)

Page 9 of 19

**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
Units per acre	4 or less

(D) *Bulk and Area Regulations.*

	Single-family dwellings	Two-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.

(Ord. No. [6945](#), §5(Exh. D), 12-16-25)

**161.09 - District RSF-8, Residential Single-Family — Eight (8) Units Per Acre**

(A) *Purpose.* The RSF-8 Residential District is designed to bring historic platted development into conformity and to allow for the development of new single-family residential areas with similar lot size, density, and land use as the historical neighborhoods in the downtown area.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings
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
Units per acre	8 or less

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Single-family	50 feet
Two-family	50 feet
Townhouse, no more than two (2) attached	25 feet

(2) *Lot Area Minimum.*

Single-family	5,000 square feet
Two-family	5,000 square feet

(3) Land Area per Dwelling Unit

Single-family	5,000 square feet
Two-family	5,000 square feet
Townhouse, no more than two (2) attached	2,500 square feet

(E) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	5 feet

(F) *Building Height Regulations.*

Building Height Maximum	3 stories
-------------------------	-----------

(G) *Building Area.* The area occupied by all buildings shall not exceed 50% of the total lot area, except when a detached garage exists or is proposed; then the area occupied by all buildings shall not exceed 60% of the total lot area. Accessory ground mounted solar energy systems shall not be considered buildings.

(Ord. No. [6945](#), §5(Exh. D), 12-16-25)



**TO:** Citlali Samano, Planner

**FROM:** Kylee Cole, Long Range & Preservation Planner

**MEETING DATE:** May 11, 2026

**SUBJECT:** Long Range Planning Comments Regarding RZN-2026-0013

**BACKGROUND:**

The applicant requests to rezone approximately 0.40 acres from RSF-4, Residential Single-Family, Four Units Per Acre to RI-U, Residential Intermediate-Urban. Two long range planning documents are relevant when evaluating this request: *City Plan 2040* and the *Heritage & Historic Preservation Plan*.

**City Plan 2040 (2020):**

*City Plan 2040* includes several relevant plan goals and objectives:

- Goal 1 – We will make appropriate infill and revitalization our highest priority.
- Goal 2 – We will discourage suburban sprawl.
- Goal 3 – We will make compact, complete, and connected development the standard.
- Goal 6 – We will create opportunities for attainable housing.
  - 3.6.1 - Increase housing choices by encouraging a mixture of housing types and sizes dispersed throughout the city and in proximity to transit and active transportation networks. (p.45)

On its adoption in early 2020, *City Plan 2040* carried forward goals from prior comprehensive plans and organized them into six primary goals. The goals were meant to focus the City’s efforts on appropriate infill that furthers a variety of transportation options, supports the creation of attainable housing, and limits the amount of land consumed by development on the City’s periphery, often termed “suburban sprawl”.

**Heritage & Historic Preservation Plan (2023):**

The City’s *Heritage & Historic Preservation Plan* was initiated by City Plan 2040.

***Heritage and Historic Preservation Master Plan Relevant Goals and Action Items***

1.9	Plan Review	Include historic preservation staff in review of proposed major projects and zoning changes to determine impacts to historic resources.
1.10	Demolition Ordinance	Pass an ordinance to allow for the review of proposed demolitions for resources forty-five years or older. Staff to evaluate each property for significance. Work with property owner to discourage demolition. Reviews should be taken up by HDC as needed.
4.9	Community Engagement: Transparency	Publish information about historic preservation reviews and demolitions of historic properties to increase transparency.

## **DISCUSSION:**

### *Zoning History:*

Ordinance 1747 approved on June 29, 1970 enacted a new zoning map and set of districts and zoning requirements for the city. This map shows the subject property and surrounding neighborhood as being zoned into the low-density “R-1” zoning district, which was subsequently translated to “RSF-4” with the adoption of the city’s Unified Development Code.

### *City Plan 2040 and Future Land Use Plan:*

This area is designated as a Residential Neighborhood area, which are “primarily residential in nature and support a wide variety of housing types of appropriate scale and context.” This request aligns with this designation by increasing the potential density and allowing for more diverse housing types, including two-, three- and four-family dwellings. RI-U would also permit greater flexibility for lot width and area. The request is in keeping with both the future land use designation and existing neighborhood patterns and supports goals 1, 2, & 6 of City Plan 2040.

### *Property History:*

The subject property contains two single-family dwellings constructed ca. 1925 and ca.1949, according to Washington County Tax Assessor records. The dwellings have not yet been captured by the citywide historic property survey and are not individually eligible for inclusion on the National Register of Historic Places.



Since rezoning requests often precede redevelopment plans, the property owner and/or applicant should consult with Long Range & Preservation Planner prior to demolition or alteration of historic-age structures to capture photo documentation. Documentation of historic resources is an effective way to mitigate against the loss of historic structures when regulatory tools are not available.



LARRY McCREDY | Attorney  
lmccredy@rmp.law

PO Box 1788 | Fayetteville AR 72702  
5519 Hackett St. Suite 300 | Springdale AR 72762  
T 479 443 2705 | F 479 443 2718

April 10, 2026

City of Fayetteville Planning Commission  
113 West Mountain Street  
Fayetteville, AR 72701

Re: Rezoning Application for Parcel Number 765-10069-000 & 765-10070-000

To Whom It May Concern:

I represent Riggins Ventures, LLC. I submitted an application to rezone parcel numbers 765-10069-000 and 765-10070-000 from RSF-4 to RI-U on or about March 26, 2026. Riggins Ventures is under contract to purchase this property, conditioned on a successful rezone application.

I may have inadvertently created some confusion in the application because Riggins Ventures is not the current owner of the parcels for which rezoning is sought. Obviously, the current owners are aware of this effort and consent to it, as evidenced by the consent of owner form that they executed and that was submitted with the application.

I apologize for this confusion. If there is any additional information needed at this time, please let me know. Thank you for your assistance.

Sincerely,

*/s/ Larry McCredy*

Larry McCredy

LMC/eil

## **Statement of Compatibility: Proposed Rezoning from RSF-4 to RI-U**

### **Introduction**

This statement is submitted in support of the application to rezone two tracts of property, Parcel 765-10069-000 and 765-10070-000, from the RSF-4 (Residential Single-Family – Four Units Per Acre) zoning classification to the RI-U (Residential Intermediate – Urban) zoning classification. As set forth below, the proposed rezoning is compatible with neighboring properties and will not unreasonably adversely affect or conflict with surrounding land uses.

### **Overview of Existing and Proposed Zoning Classifications**

The subject tracts are currently zoned RSF-4, which 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. The RSF-4 district permits single-family dwellings by right, with two-family dwellings available as a conditional use. Maximum density in the RSF-4 district is four single-family units per acre and seven two-family units per acre, with a minimum lot width of 70 feet for single-family dwellings and a minimum lot area of 8,000 square feet. Building height is limited to three stories, and building area may not exceed 40% of the total lot area.

The proposed RI-U zoning classification is designed to permit and encourage the development of detached and attached dwellings in suitable environments, to provide a range of housing types compatible in scale with single-family homes, and to encourage a diversity of housing types to meet demand for walkable urban living. The RI-U district permits single-family dwellings, two-family dwellings, and three- and four-family dwellings by right, with multi-family dwellings available as a conditional use. The minimum lot width is 18 feet, and there is no minimum lot area or density cap. Building height under the RI-U classification is limited to two stories for structures within ten feet of the front property line or any master street plan right-of-way line, and three stories for portions of buildings set back more than ten feet. The maximum building area is 60% of the total lot area, and a minimum of 50% of the lot width must constitute buildable street frontage.

### **Compatibility with Surrounding Land Uses**

The surrounding properties are predominantly classified as RSF-4, RSF-8, R-A, and P-1. The proposed RI-U zoning is compatible with each of these neighboring classifications for the following reasons.

First, the RI-U district shares a fundamentally residential character with the surrounding RSF-4 and RSF-8 districts. Like RSF-4, the RI-U district permits single-family and two-family dwellings. The RI-U district additionally permits three- and four-family dwellings by right, but the

Fayetteville City Code expressly states that the RI-U classification is intended to provide a range of housing types that are “compatible in scale with single-family homes”. The code’s own language thus recognizes that the housing types encouraged under RI-U are designed to coexist harmoniously alongside single-family residential neighborhoods. The RSF-8 district, which permits a higher density of single-family dwellings than RSF-4, already introduces a slightly more intensive residential use in the area, and the RI-U district fits naturally within this existing spectrum of residential density.

Second, the RI-U district’s building height and bulk restrictions serve as built-in safeguards ensuring that new development will remain consistent with the physical character of the neighborhood. The maximum building height in the RI-U district is two stories near the front property line and three stories when set back more than ten feet from the right-of-way. This height limitation mirrors the three-story maximum permitted in the RSF-4 district. Although the RI-U district allows a building coverage ratio of up to 60% of the lot area, compared to 40% in the RSF-4 district, this modest increase is unlikely to produce development that is out of character with the existing neighborhood, particularly given the stepped height restrictions that keep structures near the street at a lower profile.

Third, the RI-U district’s conditional use requirements provide additional protection for the surrounding neighborhood. Multi-family dwellings and private dormitories, for example, are not permitted by right but require a conditional use permit, which entails additional review and public input before approval. This ensures that more intensive use will only be developed if the City determines they are appropriate for the specific site and its context.

Fourth, the proposed rezoning is consistent with the purpose of the neighboring R-A and P-1 districts. The R-A (Residential-Agricultural) district accommodates a mix of lower-density residential and agricultural uses, and the P-1 (Institutional) district typically accommodates public and institutional uses such as schools, parks, and government facilities. The RI-U district’s emphasis on walkable urban living and a diversity of housing types complements these districts by supporting a transition between institutional or lower-density uses and the surrounding residential fabric.

### **The Proposed Rezoning Will Not Unreasonably Adversely Affect Surrounding Uses**

For the reasons discussed above, the proposed rezoning from RSF-4 to RI-U will not unreasonably adversely affect or conflict with surrounding land uses. The RI-U classification was specifically designed to be compatible in scale with single-family homes, ensuring that any new development on the subject tracts will blend with the existing residential character of the neighborhood. The building height and setback controls in the RI-U district prevent out-of-scale development and protect neighboring properties from unreasonable impacts. The conditional use permit process for

higher intensity uses provides an additional layer of review, ensuring that such uses are only approved when they are appropriate for the location. In sum, the RI-U classification represents a measured, incremental increase in permitted residential density and housing variety that is well-suited to the subject tracts and their surroundings, and the proposed rezoning should be approved.



RZN-2026-0013 (1429 & 1431 W. Deane)

From Rebecca Bryant <r.bryant@mac.com>  
Date Wed 5/6/2026 12:33 PM  
To Samano, Citlali <csamano@fayetteville-ar.gov>

**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.

Dear Planning Commission members,

I understand the impetus for infill and higher density, but we do need to be some bounds on that.

This property is surrounded by single family homes in a RSF-4 neighborhood. The current owner bought it at the end of 2021 and put it on the market in early 2025. It has now been on the market for nearly a year and a half. After they first 2 months on the market, the owner did a small price reduction. Now, instead of a more significant price reduction, they are aiming for a **speculative spot rezoning** in the hope that will optimize the price they can get.

I can't see any justification whatsoever for granting this request — at this point in time without a buyer in the wings with a specific proposal for a higher density use that justifies R1-U.

Sincerely,

Rebecca Bryant  
1553 W. Deane



**TO:** Fayetteville Planning Commission

**THRU:** Jessie Masters, Planning Director

**FROM:** Wesley Frank, Planner

**MEETING DATE:** May 11, 2026

**SUBJECT:** **RZN-2026-0014: Rezoning (2710 N COLETTE AVE/MARTIN, 293):** Submitted by MARTIN BUILDING GROUP for property located at 2710 N COLETTE AVE. The property is zoned RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRES and contains approximately 0.21 acres. The request is to rezone the property to NC, NEIGHBORHOOD CONSERVATION.

**RECOMMENDATION:**

Staff recommends forwarding **RZN-2026-0014** to the City Council with a recommendation of approval.

**RECOMMENDED MOTION:**

*"I move to forward RZN-2026-0014 to the City Council with a recommendation of approval."*

**BACKGROUND:**

The subject property is located in north Fayetteville approximately 250 feet south of the N. Old Wire Rd and N. Colette Ave intersection. The property is zoned RSF-4, Residential Single-Family, 4 Units per Acre and is undeveloped following the demolition (DEMO-2026-0021) of a fire-damaged home in 2026. No zoning overlay districts or master planning areas apply to the parcel. Surrounding land uses and zoning are depicted below in *Table 1*.

**Table 1:  
Surrounding Land Uses 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	Single-Family Residential	RPZD, Residential Planned Zoning District

*Request:* The request is to rezone the subject property from RSF-4, Residential Single-Family, 4 Units per Acre to NC, Neighborhood Conservation.

*Public Comment:* Staff has received no public comments on this item.

## INFRASTRUCTURE AND ENVIRONMENTAL REVIEW:

**Streets:** The subject area has road frontage along N. Colette Ave. N. Colette Ave is a partially improved Residential Link Street with asphalt paving, sidewalk and open ditches. The subject area has a road frontage along E. Yvonne Dr. E. Yvonne Dr is a partially improved Residential Link Street with asphalt paving, sidewalk and open ditches. Any street improvements required in these areas would be determined at the time of the development proposal.

**Water:** Public water is available to the subject area. Existing 8-inch water main is present along N. Colette Ave. Existing 6-inch water main is present along E. Yvonne Dr.

**Sewer:** Sanitary sewer is available to the subject area. Existing 8-inch sewer main is present along N. Colette Avenue. Existing 6-inch sewer main is present along E. Yvonne Dr. There are known wet weather sewer capacity issues identified in the City's 2025 Sewer Master Plan that appear in the system 744 feet south of this property.

**Drainage:** No portion of the property lies within a FEMA floodplain or the Hillside Hilltop Overlay District. No protected streams or hydric soils are present on site. Any improvements or requirements for drainage will be determined at the time of development submittal. Any additional improvements or requirements for drainage will be determined at time of development

**Fire:** Station 5, located at 2979 N. Crossover Rd., protects this site. The property is located approximately 0.7 miles from the fire station with an anticipated drive time of approximately 2 minutes using existing streets. The anticipated response time would be approximately 4.2 minutes. Fire Department response time is calculated based on the drive time plus 1 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 6 minutes for an engine and 8 minutes for a ladder truck.

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

### **Tree Preservation:**

The proposed zoning district, NC, Neighborhood Conservation, requires **20% minimum canopy preservation**. The current zoning district, RSF-4, Residential Single-Family, Four Units per Acre, requires **25% minimum canopy preservation**.

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

**Residential Neighborhood** areas are primarily residential in nature and support a wide variety of housing types of appropriate scale and context. 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 non-residential uses intended to serve the surrounding neighborhoods. This designation recognizes the existing conventional subdivision developments that may have large blocks with conventional setbacks and development patterns that respond to features of the natural environment.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a score of 6 for this site with a weighted score of 6. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station 5, 2979 N. Crossover Rd)
- Near Water Main (8-inch N. Colette Ave; 6-inch E. Yvonne Dr.)
- Near Sewer Main (8-inch N. Colette Ave.; 6-inch E. Yvonne Dr.)
- Near Public School (Butterfield Trail Elementary)
- Near City Park (Gulley Park)
- Near Paved Trail (Niokaska Creek Trail; Gulley Park Trail)

## 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 from RSF-4 to NC to be compatible with the surrounding area. The two zoning districts are effectively single-family zoning districts, but NC offers a slightly more permissive use schedule under its conditional use allowances, such as 3- and 4-family dwellings, additional opportunities for commercial uses, and community recycling facilities. The density would change from RSF-4's four units per acre to NC's ten units per acre. RSF-4 and NC have different bulk and area requirements. Lot width minimum in RSF-4 is 70 feet for single-family dwellings, while NC only requires 40 feet for all dwelling types. Lot area in RSF-4 is a minimum of 8,000 square feet, but the NC minimum is 4,000 square feet. Unlike RSF-4, NC utilizes a 0-25 foot build-to-zone urban form setback, which are used to promote walkability in an area by requiring structures to be built closer to the street. Directly across N. Colette Ave is the Gulley Grove subdivision, an RPZD-zoned development which incorporates the same urban form setback requirement. To the east are additional NC-zoned properties and a number of nearby RSF-4-zoned properties have developments within 25 feet of the front property line, which highlights the area's familiarity to this type of development. The subject property is a corner lot, which is ideal for increased housing density due to the design flexibility of a lot with dual street frontage, which can allow for more creative, aesthetic, and functional layouts. Staff finds the requested rezoning to be compatible with surrounding land uses.

***Land Use Plan Analysis:*** Staff finds the proposed rezoning to be consistent with the City's adopted land use plans, including its Future Land Use Map designation as Residential Neighborhood area. A rezoning to NC could allow for the creation of single-family residential properties with reduced lot sizes. The property has a moderate infill score, with access to trails, parks, and public schools with other infill elements that make it appropriate for higher density infill development. Staff finds that the requested rezoning could allow for the creation of missing middle housing meets City Goals 1 (appropriate infill), 2 (discourage urban sprawl), and 6 (opportunities for attainable housing).

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 to rezone the property from RSF-4 to NC since the rezoning would be consistent with the property's future land use designation and supports several goals of City Plan 2040.

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

**Finding:** A rezoning from RSF-4 to NC does have the potential to slightly increase traffic danger and congestion due to a minor increase in density, however the size of the parcel at 0.21 acres will limit the density on the site. The use schedule of NC could allow for additional residential and commercial development; however, the small size of the subject property and additional developments requirements of those uses could prevent their 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 has the potential to slightly alter the population density since it would allow for additional single-family residential development. However, the property currently has access to public streets, water, and sewers, and any necessary improvements would be determined at the time of development. 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-2026-0014 to the City Council with a recommendation of approval.

<b>PLANNING COMMISSION ACTION:</b>	<b>Required</b>	<b><u>YES</u></b>	
<b>Date:</b> <u>May 11, 2026</u>	<input type="checkbox"/> Tabled	<input type="checkbox"/> Forwarded	<input type="checkbox"/> Denied
<b>Motion:</b>			
<b>Second:</b>			
<b>Vote:</b>			

**BUDGET/STAFF IMPACT:**

None

**ATTACHMENTS:**

- Unified Development Code
  - §161.07 District RSF-4, Residential Single-Family – Four (4) Units Per Acre
  - §161.29 Neighborhood Conservation
- One Mile Map
- Close-Up Map
- Current Land Use Map
- Future Land Use Map
- Long Range Planning Memo
- Request Letter

**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
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(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(s)—Ord. No. 6710, §1, adopted November 21, 2023, determines that Ordinance 6427 (Sunset Clause) and Ord. No. 6625 (extending Sunset Clause) be amended so that Ordinance 6427 and all amendments to Code Sections ordained or enacted by Ordinance 6427 shall automatically sunset, be repealed and become void on December 31, 2024, unless prior to that date the City Council amends this ordinance to repeal or further amend this sunset, repeal and termination section.

## 161.29 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
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 9	Two (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 12a	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	Cluster Housing Development

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

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

All dwelling types	40 feet
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(2) *Lot Area Minimum.* 4,000 square feet

(E) *Setback Regulations.*

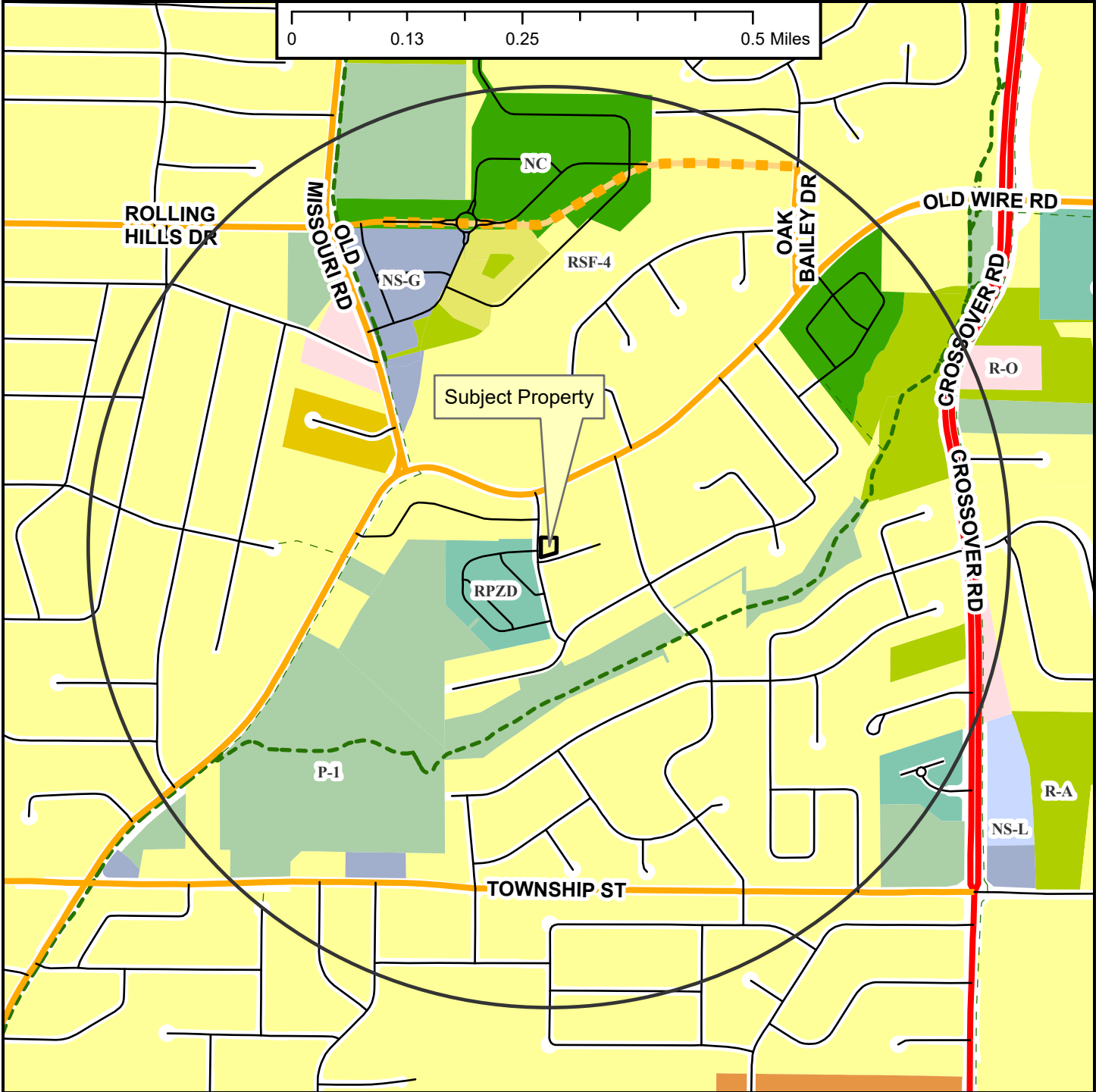
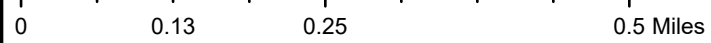
Front	A build-to zone that is located between the front property line and a line 25 feet from the front property line.
Side	5 feet
Rear	5 feet
Rear, from center line of an alley	12 feet

(F) *Building Height Regulations.*

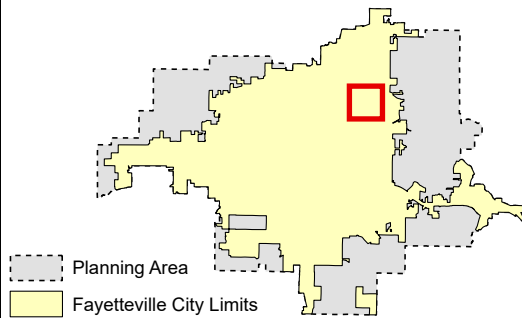
Building Height Maximum	3 stories
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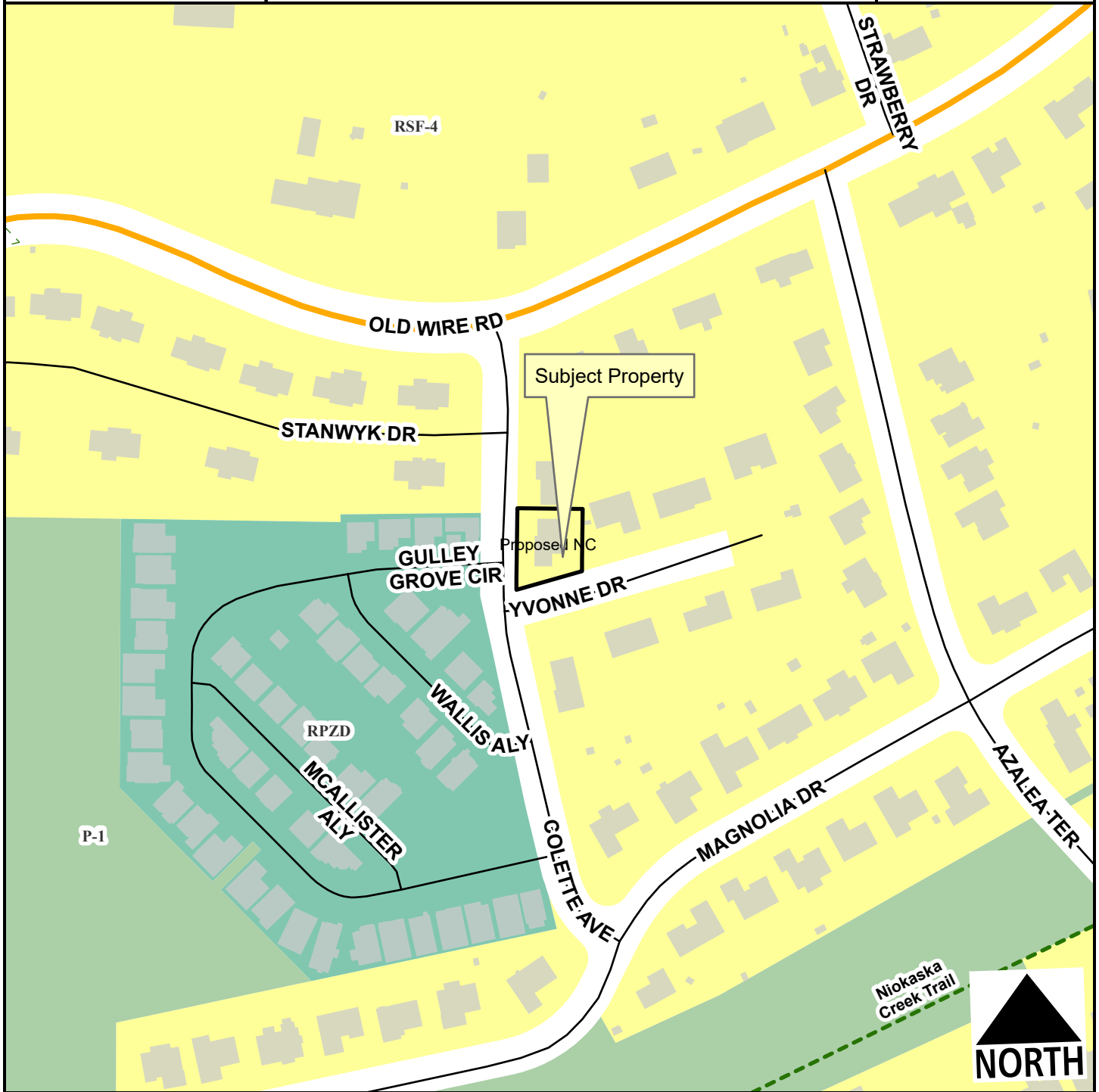
(Ord. No. 5128, 4-15-08; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5800, §1(Exh. A), 10-6-15>; Ord. No. 5921, §1, 11-1-16; Ord. No. 5945, §§5, 7—9, 1-17-17; Ord. No. 6015, §1(Exh. A), 11-21-17; Ord. No. 6211, §1, 8-6-19; Ord. No. 6427, §§1(Exh. C), 2, 4-20-21)

Editor's note(s)—Ord. No. 6820, §1, adopted December 4, 2024, determines that Ordinance 6427 (Sunset Clause), Ordinance 6625 (extending Sunset Clause) and Ordinance 6710 (extending the Sunset Clause) be amended so that Ordinance 6427 and all amendments to Code Sections ordained or enacted by Ordinance 6427 shall automatically sunset, be repealed and become void on July 1, 2025 at 7:00 p.m. unless prior to that time and date the City Council amends this ordinance to repeal or further amend this sunset, repeal and termination section.

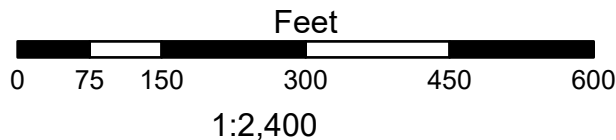


- Regional Link
- Neighborhood Link
- Unclassified
- Residential Link
- Planned Neighborhood Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Fayetteville City Limits
- Planning Area





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



<u>Zone</u>	<u>Current</u>	<u>Proposed</u>
NC	0.0	0.2
RSF-4	0.2	0.0







Total 0.2 ac

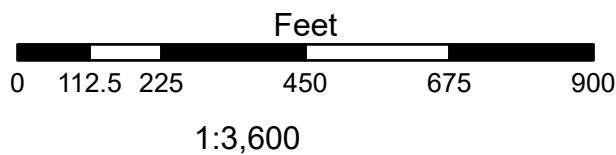
RZN-2026-0014

# 2710 N COLETTE AVE



Current Land Use



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

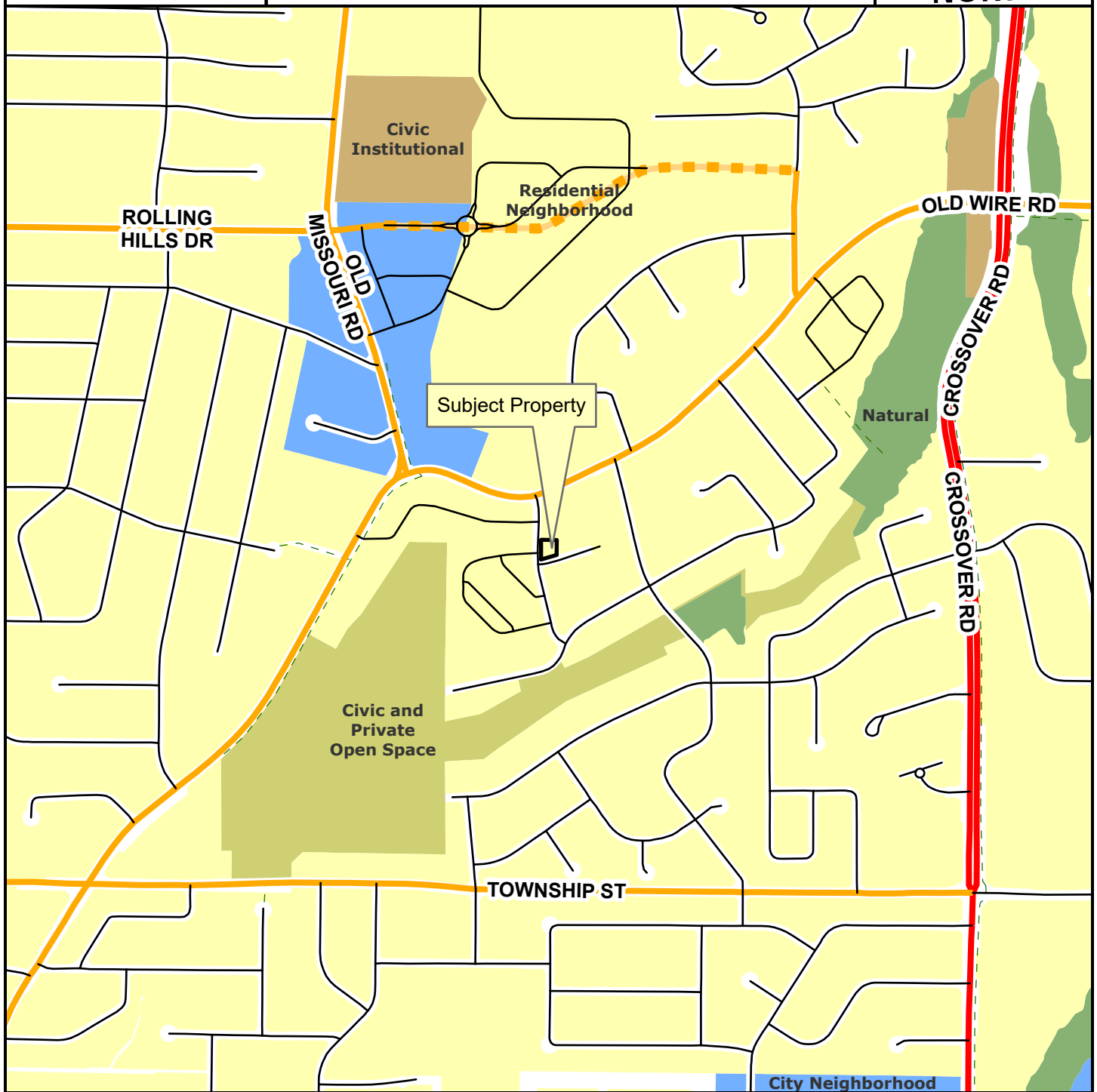


### FEMA Flood Hazard Data

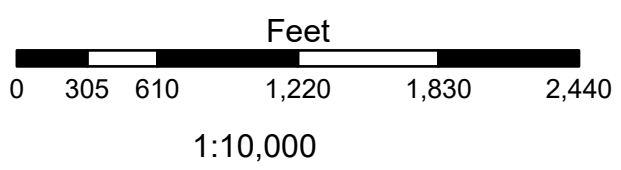
-  100-Year Floodplain
-  Floodway



Future Land Use



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



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



**TO:** Wes Frank, Planner

**FROM:** Kylee Cole, Long Range & Preservation Planner

**MEETING DATE:** May 11, 2026

**SUBJECT:** Long Range Planning Comments Regarding RZN-2026-0014

**BACKGROUND:**

The applicant requests to rezone approximately 0.21 acres from RSF-4, Residential Single-Family, Four Units Per Acre to NC, Neighborhood Conservation. Two long range planning documents are relevant when evaluating this request: *City Plan 2040* and the *Heritage & Historic Preservation Plan*.

**City Plan 2040 (2020):**

*City Plan 2040* includes several relevant plan goals and objectives:

- Goal 1 – We will make appropriate infill and revitalization our highest priority.
- Goal 2 – We will discourage suburban sprawl.
- Goal 3 – We will make compact, complete, and connected development the standard.
- Goal 6 – We will create opportunities for attainable housing.
  - 3.6.1 - Increase housing choices by encouraging a mixture of housing types and sizes dispersed throughout the city and in proximity to transit and active transportation networks. (p.45)

On its adoption in early 2020, *City Plan 2040* carried forward goals from prior comprehensive plans and organized them into six primary goals. The goals were meant to focus the City’s efforts on appropriate infill that furthers a variety of transportation options, supports the creation of attainable housing, and limits the amount of land consumed by development on the City’s periphery, often termed “suburban sprawl”.

**Heritage & Historic Preservation Plan (2023):**

The City’s *Heritage & Historic Preservation Plan* was initiated by City Plan 2040.

***Heritage and Historic Preservation Master Plan Relevant Goals and Action Items***

1.9	Plan Review	Include historic preservation staff in review of proposed major projects and zoning changes to determine impacts to historic resources.
1.10	Demolition Ordinance	Pass an ordinance to allow for the review of proposed demolitions for resources forty-five years or older. Staff to evaluate each property for significance. Work with property owner to discourage demolition. Reviews should be taken up by HDC as needed.
4.9	Community Engagement: Transparency	Publish information about historic preservation reviews and demolitions of historic properties to increase transparency.

**DISCUSSION:**

*Zoning History:*

Ordinance 1747 approved on June 29, 1970 enacted a new zoning map and set of districts and zoning requirements for the city. This map shows the subject property and surrounding neighborhood as being zoned into the low-density “R-1” zoning district, which was subsequently translated to “RSF-4” with the adoption of the city’s Unified Development Code.

*City Plan 2040 and Future Land Use Plan:*

This area is designated as a Residential Neighborhood area, which are “primarily residential in nature and support a wide variety of housing types of appropriate scale and context.” The request aligns with this designation by increasing the potential density slightly, from four to ten units per acre while retaining the single-family development pattern. NC would also permit greater flexibility for lot width and area allowing for potential redevelopment of the site with additional single-family dwellings. This is in keeping with both the future land use designation and existing neighborhood patterns and supports goals 1, 2, & 6 of City Plan 2040.

*Property History:*

The subject property is vacant. It previously contained a single-family dwelling constructed ca. 1973, according to Washington County Tax Assessor records. The property was damaged in fire and subsequently demolished (DEMO-2026-0021).



## REQUEST LETTER

*A statement explaining the compatibility of this proposed rezoning with neighboring property and explaining why the proposed rezoning will not unreasonably adversely affect or conflict with surrounding land uses.*

The proposed rezoning, Neighborhood Conservation, is compatible with the surrounding neighborhood and will not adversely affect adjacent properties. The subject property is currently underutilized and presents an opportunity for thoughtful infill development.

The proposed lot split allows for two smaller homes rather than one large home to be built, maintaining a scale consistent with the neighborhood and avoiding an out-of-character build. It also brings two attainable homes to market in a highly desirable area without increasing density beyond what already exists adjacent.

Directly across the street, the RPZD zoned development, Gulley Grove, contains majority 40-50 foot-wide lots, reflecting similar density and scale. The proposed development will complement this pattern and integrate seamlessly with the neighborhood.

Overall, the rezoning supports efficient land use while aligning with the evolving residential character of the neighborhood and city's agenda of thoughtful infill development.