

**TO: Mayor and Members of City Council**

**THRU: Zoning Commission**

**FROM: Craig Harmon, CZO – Senior Planner  
Demetrios Moutos, AICP – Planner II**

**DATE: February 10, 2026**

**RE:**

**P26-05 – Arland Tsobgou has requested a map amendment to rezone approximately 0.44 acres located at 5210 Arbor Road (PIN 0530630070000) from SF-10 (Single-Family Residential 10) to MR-5 (Mixed Residential 5).**

**COUNCIL DISTRICT(S):**

Council District 1 – Stephon Ferguson

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**Relationship To Strategic Plan:**

This case is most directly related to the following strategic goals and objectives:

- Goal II (City Investment Planning)
  - Objective 3.2: Manage future growth and land use. Assess if the zoning change assigns the right development intensity to the right location.
  - Objective 3.1: Address street connectivity, traffic flow, and stormwater. New entitlements can increase demands on access, circulation, and drainage infrastructure.
  - Objective 3.4: Revitalize neighborhoods through code enforcement and abatement. Focus efforts especially when development increases community concerns.
- Goal IV (Live, Work, & Recreate)
  - Objective 4.5: Ensure quality neighborhoods. Zoning decisions influence housing opportunities and neighborhood compatibility.
- Strategic Priority 2 (under Goal 4)
  - Continue revitalization focused on affordable housing, including increased housing opportunities.

Rezoning from SF-10 to MR-5 would allow more residential types on the site, meeting Objective 4.5 by adding housing in serviced areas without expanding the city's footprint. This supports the city's priority to increase market-rate housing opportunities.

The Strategic Plan favors managed growth over density everywhere. The main question is whether MR-5 zoning fits the parcel's size and nearby uses. If incompatible, it could hinder the goal of quality neighborhoods.

This decision is best justified when tied directly to measurable outcomes from the plan's performance metrics:

- Growth management/land use confidence: “% satisfaction with overall preparedness to manage development and growth.”
- Housing: “% satisfaction with overall affordability of housing in Fayetteville” (note: zoning can impact supply and feasibility, but does not guarantee affordability).
- Neighborhood experience: “% satisfaction with the overall quality of life in your neighborhood.”
- Affordable housing production via City programs: “Number of affordable units created with ECD funding.” This is not a direct result of rezoning, but is relevant to the broader housing strategy in the plan.

To meet Goal III's intent, the decision should address:

- Assess traffic access, stormwater capacity, and infrastructure readiness as required by Goal III.
- Ensure neighborhood compatibility with buffers, transitions, scale, and access, as Goal IV emphasizes creating quality neighborhoods, not just more housing units.
- Balance the applicant's interest in feasible land use and housing with residents' need for neighborhood character and quality of life, as measured by the Strategic Plan.

The zoning decision should directly connect to strategies for quality growth, focusing on infrastructure readiness and neighborhood quality as outlined in the Future Land Use and Strategic Plans.

### **Executive Summary:**

The applicant seeks to rezone 0.44 acres at 5210 Arbor Road from SF-10 to MR-5. The site is vacant, with water and sewer service available.

The parcel, behind Applebee's on Ramsey Street, is zoned SF-10 and borders Limited Commercial. The zoning map shows this parcel at the edge of a varied mix: SF-10, SF-6, MR-5, LC, and UC.

The primary policy consideration centers on whether MR-5 zoning effectively functions as a transitional district at this corridor's edge. This would facilitate a residential buffer between the adjacent commercial area and nearby lower-density homes, supporting both residential flexibility and compatibility. Furthermore, MR-5 zoning offers a means to bridge land use types while aligning with the adopted Future Land Use direction for this area.

### **Background:**

Rezoning Request: Change zoning from SF-10 (Single-Family Residential 10) to MR-5 (Mixed Residential 5).

Location: 5210 Arbor Road

Parcel Identification Number (PIN): 0530630070000

Site Size: Approximately 0.44 acres.

Existing Site Conditions: The parcel is vacant, containing trees and a fenced area, with no existing structures.

Utilities: Public water and sewer services are available to the site.

Applicant Narrative (Summary): The applicant states that the rezoning supports revitalization of commercial corridors and aligns with the Future Land Use designation of Mixed-Use Commercial for the area. The narrative cites expansion of a commercial corridor and references C-1, but the request under review is explicitly for MR-5 (Mixed Residential 5).

Public Notice: Notification letters were sent to property owners within 1,000 feet of the subject site.

Fees: The required map amendment fee of \$1,000 has been paid in full.

### **Issues/Analysis:**

Case P26-05 is a request to rezone approximately 0.44 acres at 5210 Arbor Road from SF-10 (Single-Family Residential 10) to MR-5 (Mixed Residential 5). The significance extends beyond the applicant's plan; it is an entitlement change that broadens potential uses and development intensity. This is notable because there is no concept plan to limit unit count, building placement, height, access, parking, buffering, lighting, or service areas. The main question is whether the City should grant the full MR-5 development rights to a sub-acre parcel. This area sits in an LDR-designated neighborhood, right at the edge of more intense Future Land Use categories.

The physical and land-use context is clear from aerial and street-level images. Currently, the parcel is wooded and serves as a vegetative buffer between Arbor Road and the Ramsey Street commercial area. Directly east is a cluster of highway-oriented commercial uses and large parking areas – Applebee's, Aldi, and Sheetz – facing the US 401/Ramsey Street corridor. Across Ramsey Street lies Methodist University. There are also multifamily apartments south and southeast of the intersection. In contrast, the west side of Arbor Road and its neighborhood blocks are characterized by detached single-family homes on a traditional street network. Arbor Road itself is a two-lane, low-speed neighborhood street. It is lined with houses, yards, has limited pedestrian infrastructure, and a strong tree line for screening. In summary, the parcel sits at a distinct juncture. There is highway commercial and institutional activity to the east, and a stable LDR neighborhood to the west and southwest.

This juncture highlights why Future Land Use Map designations are key to policy analysis. The parcel and the surrounding neighborhood are designated LDR (Low Density Residential). Directly north is NMU (Neighborhood Mixed Use); immediately east is HC (Highway Commercial). These designations reflect two priorities: keeping a low-density pattern in LDR areas and allowing greater intensity and mixed uses in NMU and HC areas. The main question is whether the subject parcel should stay part of the LDR neighborhood or be seen as a transition parcel. Its location at the edge of NMU and HC affects this decision.

In this context, the zoning issue goes beyond a simple SF-10 versus MR-5 comparison. SF-10 is the most restrictive residential option. It aligns with LDR, with a 35-foot height limit and 30 percent lot coverage. MR-5 is more intense. It allows buildings up to six stories or 75 feet, 55 percent lot coverage, and much higher density. MR-5 density depends on whether the site borders an Arterial, Collector, or Major Street, as defined in Article 30-9. If not, density is lower; if so, it may increase. Arbor Road functions as a local street, so the higher cap likely does not apply. Roadway classification is a key factual checkpoint in the record.

SF-6 is a logical alternative to consider. SF-6 aligns with LDR by keeping a single-family framework but allows more flexibility than SF-10. These are typically smaller lots and modestly different standards. It allows gentle infill or varied housing types without the massing of MR-5. For a small site, SF-6 recognizes the edge location and NMU/HC influences. It still keeps the entitlement in the “low-density residential” family. If leaders want to keep LDR but adjust to nearby higher intensity, SF-6 reflects that compromise.

Compatibility is the main practical concern, regardless of district choice, because the area is mixed. Approving MR-5 would not just change paper density. It would allow development with real effects: taller and larger buildings near one-story homes, more lighting and nighttime activity, loss of the buffer, and different parking and service setups. The adjacent commercial corridor has lots of pavement and busy uses. These are not always incompatible with housing, but housing here would need design to protect the residential edge. Without a concept plan, it is not possible to know if MR-5 development would match Arbor Road’s character or bring incompatible elements. This uncertainty is less under SF-10 or SF-6, where single-family forms are more compatible with the neighborhood.

Transportation and access also differ by district. Imagery suggests Arbor Road is a neighborhood street, not set for higher-intensity traffic. MR-5 redevelopment could bring more vehicles, greater off-street parking demand, and risk of on-street spillover without good circulation planning. It is not clear if all access would be via Arbor Road or if a link to the commercial side is possible, which matters for the neighborhood. These points do not prohibit change but show that there is not enough detail to approve MR-5 unconditionally now.

The Future Land Use Plan guides the City’s view of fairness and reasonableness. On one side, the Plan’s emphasis on neighborhood stability and the LDR map suggest keeping the low-density pattern. This is important for residents who rely on the map and local character. On the other side, the Plan’s support for mixed-use and reinvestment encourages housing near jobs and services, especially at the edge of intense designations. This creates a fairness issue for the broader community about housing and land use. Both priorities exist here, as the parcel is where they meet.

The sufficiency of the case record is key if MR-5 approval is considered. Higher-intensity use, as a transition to NMU/HC, is easier to justify when backed by at least a simple development concept. This concept should show how the residential edge will be protected and how access and parking will work. Otherwise, SF-6 is the more cautious and plan-aligned choice. It allows incremental, LDR-friendly change and limits out-of-

scale risk. If MR-5 is chosen, the decision is best when transition issues are handled by enforceable commitments – especially for height, massing, buffering, lighting, and access – rather than assuming later site review will resolve core zoning issues.

### **Budget Impact:**

This request includes a direct fiscal element and potential fiscal effects that depend on future development. The applicant has paid the \$1,000 Map Amendment Fee in full.

The City will incur routine processing costs for the rezoning, such as staff time and public notifications, which are absorbed in operating budgets and not treated as separate capital expenditures.

Rezoning does not obligate City funding for infrastructure. Utility access allows development to use existing services, subject to capacity. Incremental revenue is possible, but amounts are unknown without detailed plans.

Higher-intensity rezoning could increase service demand and require public improvements during development review. The Future Land Use and Strategic Plans recognize that upzoning may lead to targeted public investment and support fiscal stewardship.

The rezoning has no immediate capital impact, generates a known fee already collected, and carries unquantified long-term fiscal effects pending specific development proposals.

### **Options:**

The Zoning Commission has the following options for action:

#### **Option 1 – Approve the rezoning request as submitted (change from SF-10, Single-Family 10, to MR-5, Mixed Residential 5).**

Approval would expand home types and allow more development than SF-10. MR-5 permits up to 20 dwelling units per acre. This increases to 24 units if the property abuts an Arterial, Collector, or Major Street (see Article 30-9). When minimum lot area and gross density conflict, the lower unit yield applies. This option supports more nearby housing near commercial and institutional corridors. However, it is the biggest departure from the parcel's LDR Future Land Use and the area's low-density pattern.

#### **Option 2 – Approve rezoning to a more restrictive residential district (change from SF-10, Single-Family 10, to SF-6, Single-Family 6).**

This option allows incremental change within the "single-family" category. It better matches the parcel's LDR Future Land Use and the neighborhood context. This serves as a compromise. It recognizes nearby NMU/HC activity, but does not allow MR-5's full intensity, height, or housing variety.

#### **Option 3 – Deny the rezoning request.**

Denial would maintain the existing SF-10 zoning and preserve the current low-density entitlement, consistent with the LDR designation for the subject parcel and surrounding neighborhood. This option is suitable if the Commission finds the MR-5 request inconsistent with the adopted Future Land Use direction or lacking sufficient transition commitments to ensure compatibility with adjacent low-density residential areas.

**Option 4 – Continue or table the case for a revised request or additional commitments.**

The Commission could continue the case to let the applicant pursue MR-5 in a conditional format. This would require enforceable commitments to address transitions, such as step-downs in height and massing near LDR, buffering, screening, lighting controls, and access or parking layout. This option strengthens the decision record where compatibility depends on site design details not yet provided.

**Recommended Action:**

Approve rezoning to a more restrictive residential district (SF-10 to SF-6). Staff finds SF-6 the most suitable zoning outcome for this site. This zoning allows modestly more residential flexibility. It still aligns with the parcel's Low Density Residential (LDR) Future Land Use designation and the neighborhood pattern. The recommendation notes the parcel's proximity to higher-intensity activity to the north (NMU) and east (HC). It avoids granting the much higher-intensity entitlements of MR-5.

**Attachments:**

1. Application
2. Aerial Map
3. Zoning Map
4. Future Land Use Map
5. Site Pictures
6. Surrounding Area Pictures
7. Consistency and Reasonableness Statement